



JUSTICE ADMINISTRATION DEPARTMENT

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Memorandum

To: Commissioners Court

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CC: Jim Bethke, Director, Justice Administration Department

Date: February 16, 2021

RE: Data on crime, overall crime trends in the City of Houston and Harris County, ODonnell Consent Decree implementation, and solutions to address violence and support crime survivors.

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BACKGROUND: This memo responds to Commissioner Court staff's request to provide information on 2020 trends in crime statistics. For context, this memo explains the general trends in violent crime in the City of Houston and Harris County. This memo also explains the general trends in violent crime in the City of Houston and Harris County. Additionally, this memo provides an overview of the ODonnell consent decree implementation, and JAD's approach to addressing violence, preventing trauma, and supporting crime survivors. This memo concludes by presenting evidence that alternative policy initiatives—not increased use of secured bail—will more effectively halt increases in crime.

SYNOPSIS: Some forms of violent crime are increasing in Harris County. These increases are unacceptable, and necessitate a strong policy response. However, some connect recent increases in crime in Harris County to misdemeanor bail reform. This memo shows that there is little evidence for such a link. First, bail reform has—almost exclusively—changed pre-trial practice for low-level, non-violent misdemeanor defendants. Second, bail reform occurred, above all, between 2017 and 2019,¹ and crime did not increase until partway through 2020. Third, while murders and aggravated assaults have increased in Harris County and the City of Houston, forcible rapes and simple assaults have declined over the same time period. Moreover, similar crime trends are exhibited in Dallas, Los Angeles, and Chicago, suggesting that increases in crime are caused by national-level socioeconomic pressures, rather than municipal- or county-level policy changes. **Last, month-level time-series analyses present evidence that monthly counts of murders are better predicted by economic pressures and COVID-19 than by any local policy.** Moreover, misdemeanor bail reform may have slowed increases in the murder rate when other factors are considered. This report concludes by discussing the numerous policy initiatives JAD is pursuing to reduce violence in Harris County. **Thus, this memo concludes that other policy initiatives—not renewed reliance on cash bail—will be required to halt the increase in violence.**

WHAT IS BAIL REFORM?: The term bail reform refers to a series of policy changes that occurred between 2017 and 2019 that changed and expanded policy practices around misdemeanor bail reform almost exclusively.

¹ Beginning with *ODonnell* litigation and the adoption of the PSA in 2017, and ending with the adoption of Amended Rule 9 and the issuance of the *ODonnell* Consent Decree in 2019.

The most impactful changes that could be grouped under this umbrella emerged out of litigation and the settlement in *ODonnell v. Harris County*. **Figure 22** provides a brief quantitative analysis of policy changes grouped under the bail reform umbrella, and a timeline of important events. The most important of these policy changes include:

- A preliminary injunction was issued pursuant to the ODonnell litigation. It provided for greater release of low-level misdemeanor defendants on personal bonds, provided that they were not subject to an active warrant. The injunction was in place from June 2017 to August 2018.
 - In brief, these orders sharply increased the quotient of low-level misdemeanor defendants released within 24 hours. Those orders remained in effect until August 2018, when they were slightly revised on Appeal.
- In 2019, local leadership worked with Judge Rosenthal's court to implement local reforms to bring Harris County into compliance with Constitutional law. Those reforms included the amendment of Local Rule 9.1, eliminating the existing misdemeanor bail schedule (Effective February 16, 2019).
 - Those amendments created the General Order Bond (GOB), which provides for the immediate release of individuals charged with low-level crimes under an unsecured or personal bond, provided that they were not already on probation, under another warrant, and did not have a violent conviction.
- Finally, a small number of individuals arrested in Harris County in the Spring of 2020 for some non-violent felonies and misdemeanors were released under a Disaster Order Bond, which released those defendants on an unsecured General Order Bond.

EXECUTIVE SUMMARY OF GENERAL TRENDS:

- The rates for some forms of violent crime in Harris County and Houston have increased in 2020, or are higher than at the same point in 2019. For example, year-to-date (YTD) murders and YTD aggravated assaults are up by 43 percent and 33 percent, respectively.² These increases occurred most drastically in the late summer of 2020.
- For other forms of violent crime (for example, robbery), average daily/monthly incidents are identical in 2020 to the same point in 2019.
- For some forms of violent crime, incidents are lower in 2020 than in 2019. Forcible rapes appear to have been declining for at least the past several years. The same is true of simple assaults.

² Given that most of the discussion about rising crime in Houston and Harris County have been prompted by monthly NIBRS reports presented by HPD—that is, covering the city of Houston—the analyses of crime in Houston is based on an analysis of publicly-available NIBRS data. This memo uses that data to maximize comparability between these results and public statements about crime and bail reform.

- The increase in incidents of murder has been confined to a few neighborhoods. In these neighborhoods, crime has sharply increased. In most of Houston's City, annual counts of murders are flat or even falling (see: **Figure 3** and **Figure 4**).
- The increases in violent crime cannot be traced to bail reform for five reasons:
 - A theory that traces bail reform to violent crime cannot explain why some forms of violent crime have increased while others have decreased.
 - The increase in the use of unsecured bail spiked at a strikingly different time than increases in crime. The increased use of personal bonds in early 2018 (see: **Figure 22**) does not explain an increase in violent crime in late 2020.
 - Next, evidence from time-series analyses suggests that increases in the unemployment rate could be associated with increases in the murder rate. Furthermore, the increased use of secured bonds relative to unsecured bonds is actually related to *increases* in monthly counts of murders.
 - Next, the bonds that have been publicly tied to increased crime (felony bonds) have not become drastically more common since 2018. It is not clear how felony bonds could have caused an increase in crime in the past several years when policy and practice around felony bonds did not change. The increased use of personal bonds have been confined to misdemeanor offenses (see: **Figure 23**).
 - Lastly, the trends in crime observed in Harris County (some violent crimes increasing, others decreasing, and falling rates of property crime) can be observed in several other jurisdictions which either: 1) have not implemented misdemeanor bail reform, or 2) did so at different times. The presence of similar trends in crime in large urban centers across the country presents compelling evidence that national-level socioeconomic pressures have caused increases in crime, rather than local-level policy changes, like misdemeanor bail reform.³

FINDINGS:

³ This conclusion has been reached by other evaluators. See: Richard Rosenfeld, Thomas Abt, and Ernesto Lopez, “Pandemic, Social Unrest, and Crime in U.S. Cities: 2020 Year-End Update” (Washington, D.C.: Council on Criminal Justice, 2021).

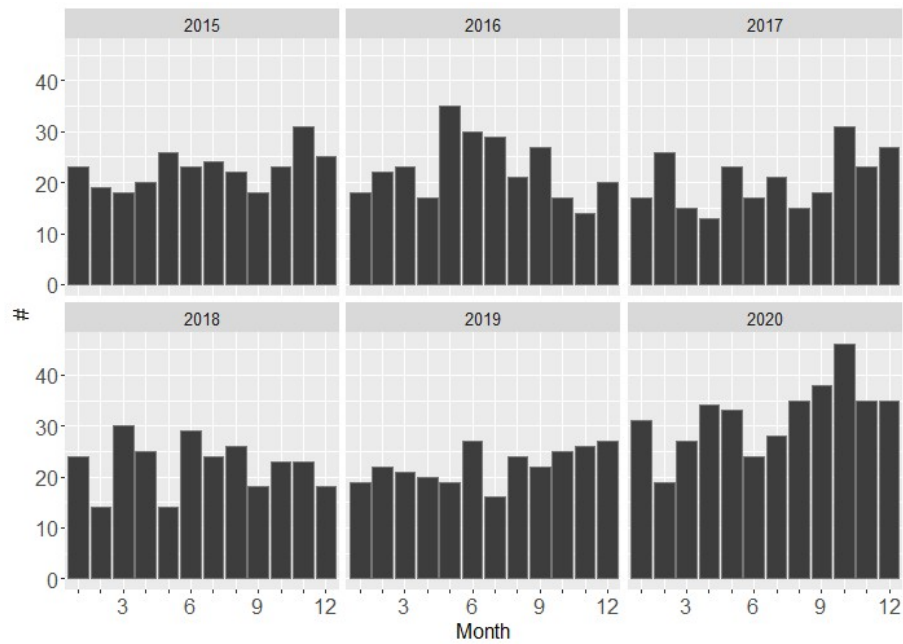


Figure 1: Monthly counts of Murders in the City of Houston, 2015-2020. Panels indicate year of plot. *Source:* City of Houston NIBRS Publication.

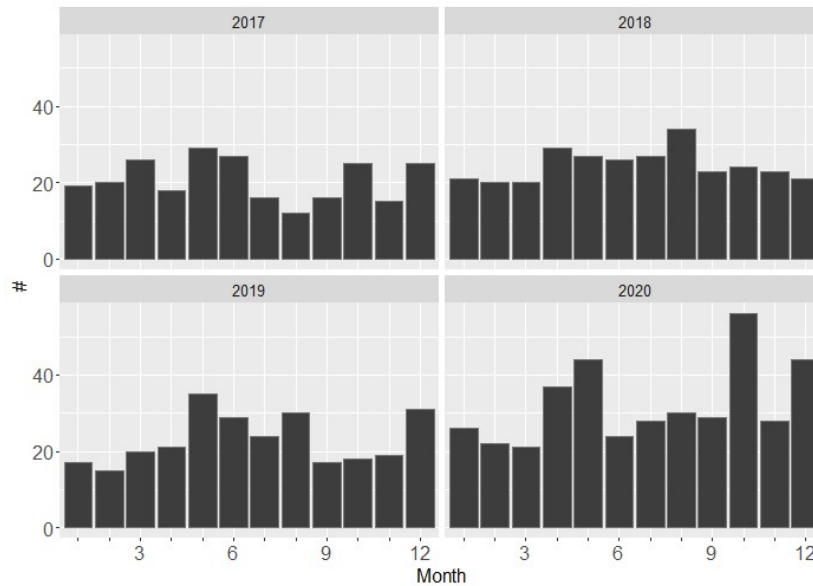


Figure 2: Monthly counts of Murders in Harris County, 2017-2020. Panels indicate year of Plot. *Source:* Harris County Criminal Case Details.

- Murders in the City of Houston in 2020 very closely tracked those from 2017-2019, with a sharp increase coming at the end of 2020 (**Figure 1**). The same is true in Harris County, with the increase coming since August 2020 (**Figure 2**). These increases occurred most drastically in the late summer of 2020.

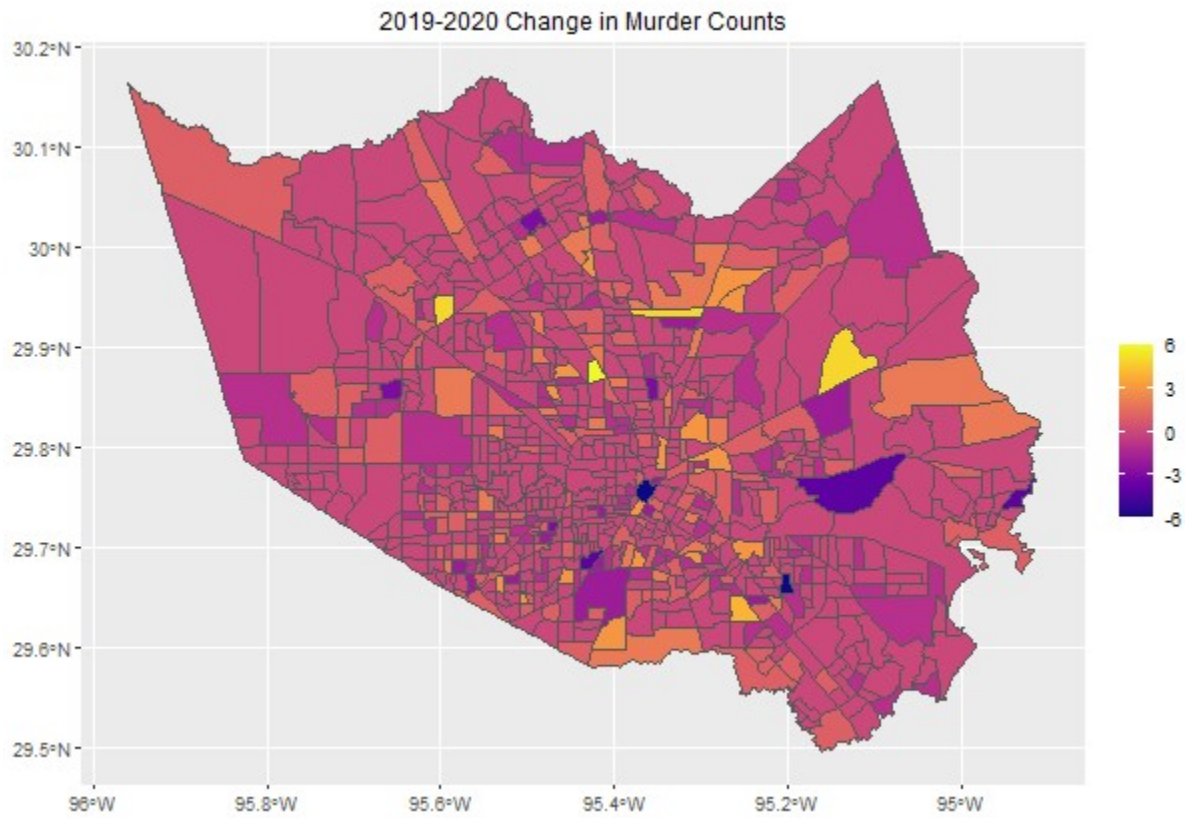


Figure 3: 2019 to 2020 change in Murders by census tract within Harris County.
Source: Harris County Criminal Case Details.

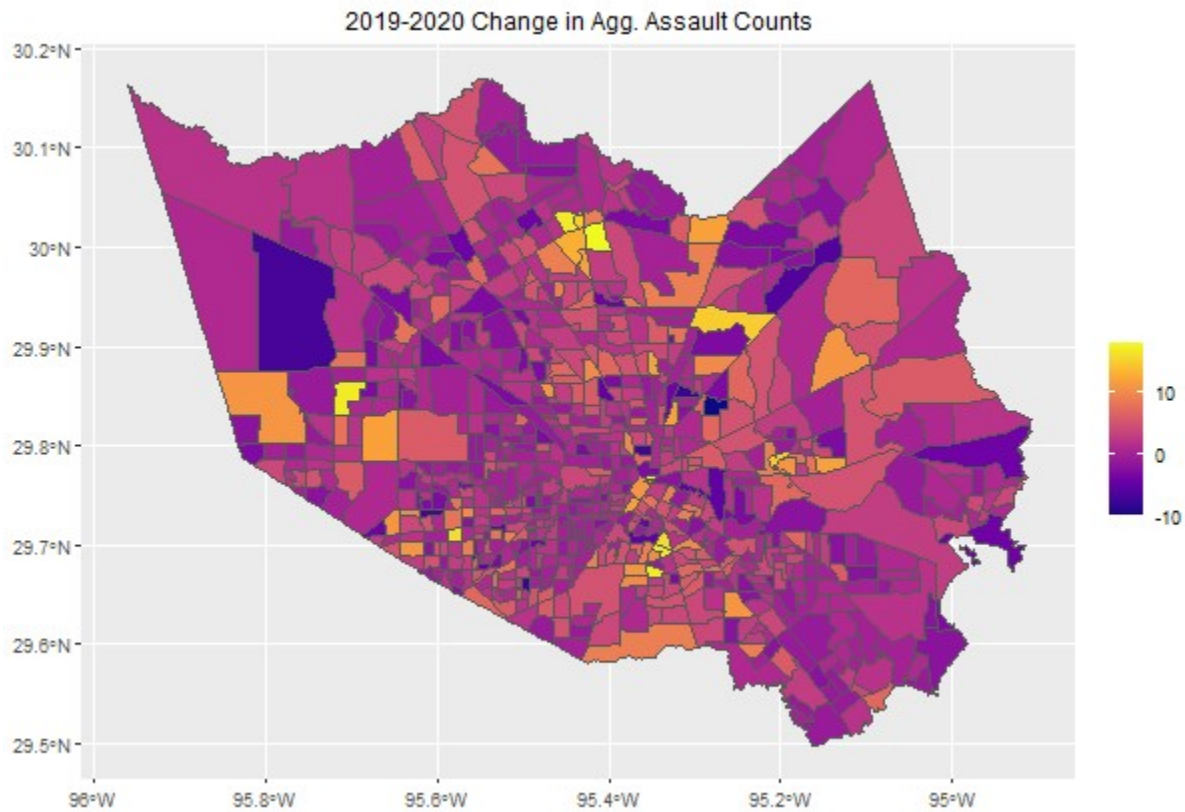


Figure 4: 2019 to 2020 change in Aggravated Assaults by census tract within Harris County. Source: Harris County Criminal Case Details.

- The increase in violent crime is not distributed uniformly throughout the City of Houston. The increase in murders has been disproportionately concentrated in working class communities of color (see: Appendix F), especially in the outer edges of the City of Houston. These trends can be seen in **Figure 3** and **Figure 4**.

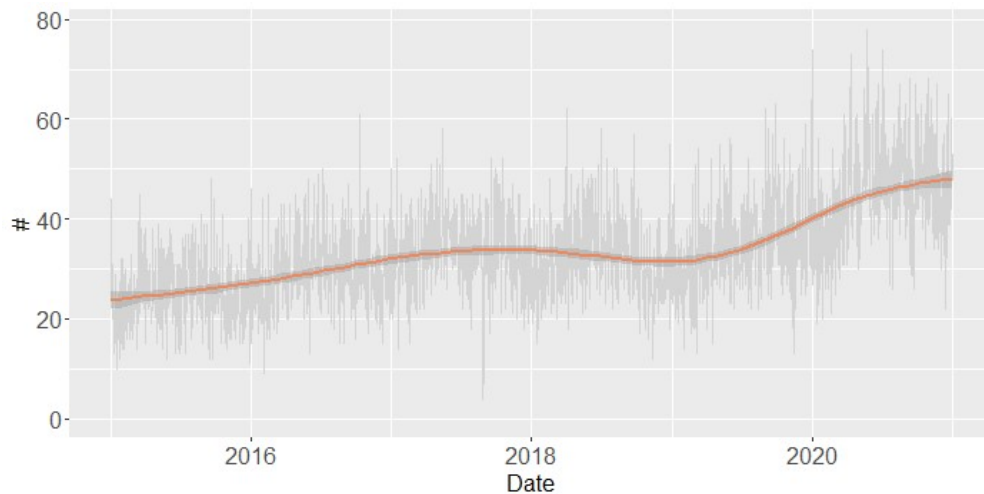


Figure 5: Daily counts (depicted in grey) and rolling averages (depicted in orange) of Aggravated Assaults in the City of Houston, 2015-2020. *Source:* City of Houston NIBRS Publication.

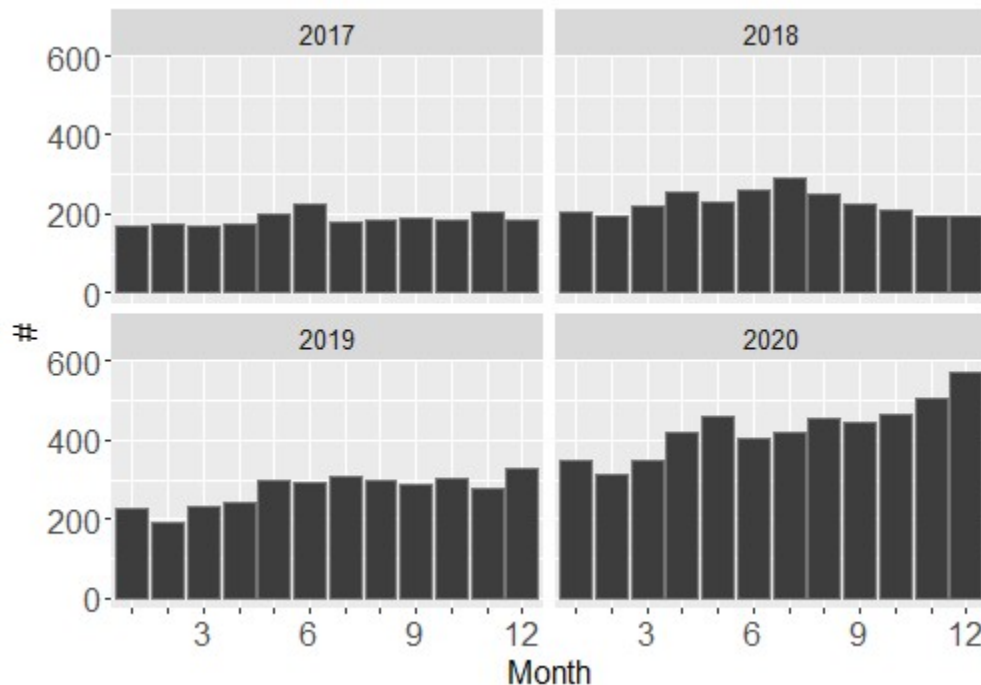


Figure 6: Monthly counts of Aggravated Assaults in Harris County, 2017-2020. Panels indicate year of Plot. *Source:* Harris County Criminal Case Details.

- Daily counts of Aggravated Assaults in the City of Houston have been increasing almost linearly from 2015 to the end of 2020. The average daily incidence of Aggravated Assaults in the City of Houston nearly doubled within that time frame (**Figure 5**). Similarly, Aggravated Assaults have been increasing in Harris County from early 2019 to the present (**Figure 6**).

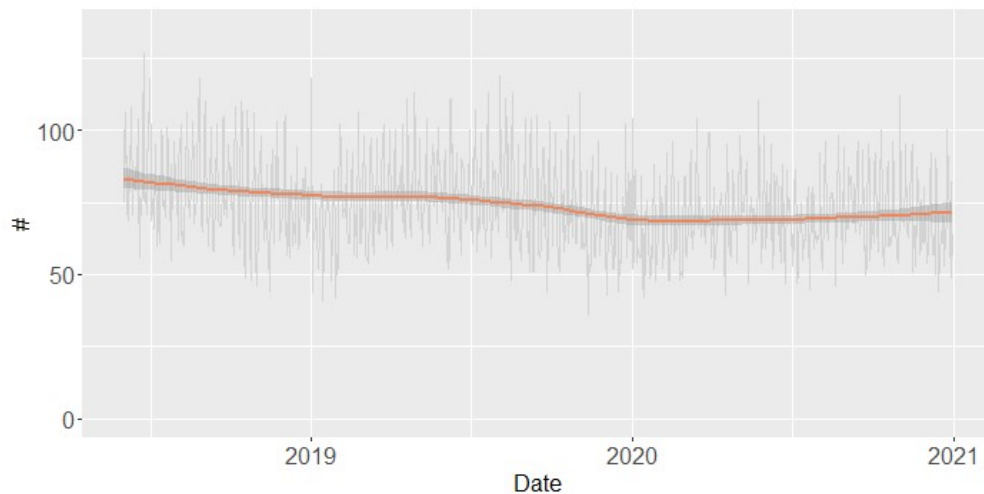


Figure 7: Daily counts (depicted in grey) and rolling averages (depicted in orange) of Simple Assaults in the City of Houston, 2015-2020. *Source:* City of Houston NIBRS Publication

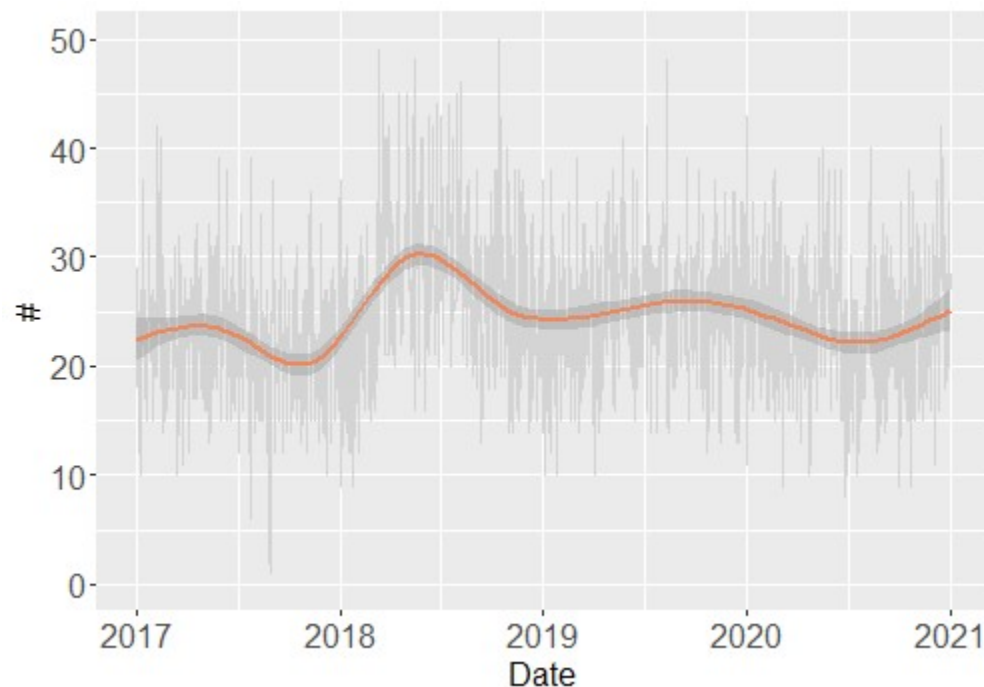


Figure 8: Daily counts (depicted in grey) and rolling averages (depicted in orange) of Simple Assaults in Harris County, 2017-2020. *Source:* Harris County Criminal Case Details.

- Daily counts of simple assaults in the City of Houston (**Figure 7**) and Harris County (**Figure 8**) have changed little, and, in fact appear to be declining since mid-2018. This finding is corroborated by the HPD's monthly crime report.⁴

⁴ *Ibid.*

Aggravated Assaults have risen slightly in Harris county in the past few months.

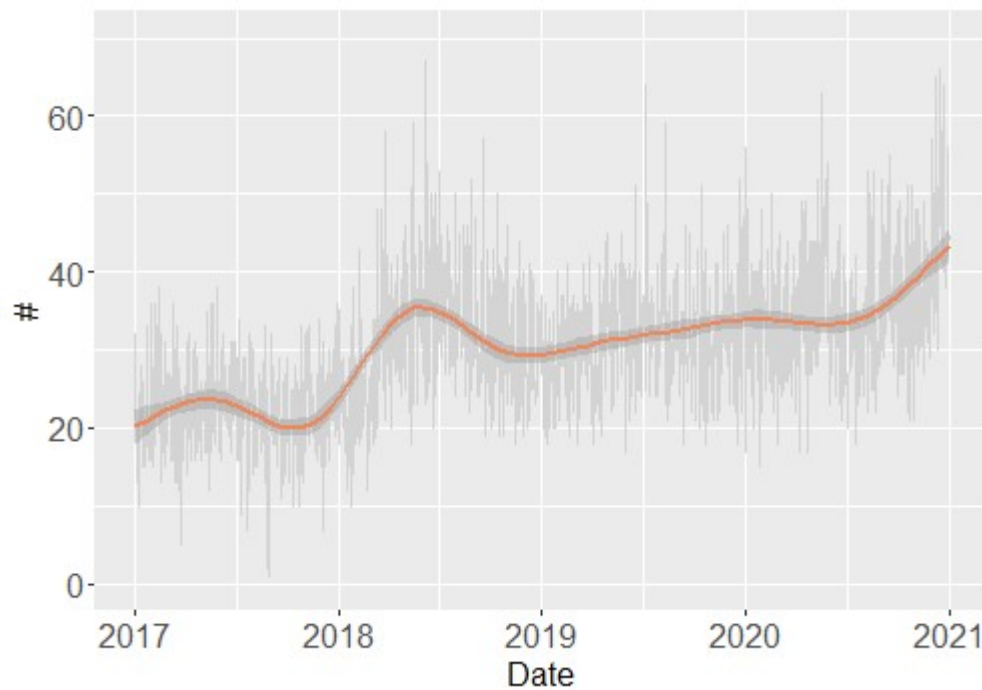


Figure 9: Daily counts (depicted in grey) and rolling averages (depicted in orange) of family violence in Harris County (2017-2020). *Source:* Harris County Criminal Case Details.

- Daily counts of family violence in Harris County (**Figure 9**) provide evidence of several intersecting trends in family/domestic violence in Harris County. A long-term increase in family violence beginning in 2019 and sharply increasing in the summer of 2020 mirrors broader national trends.

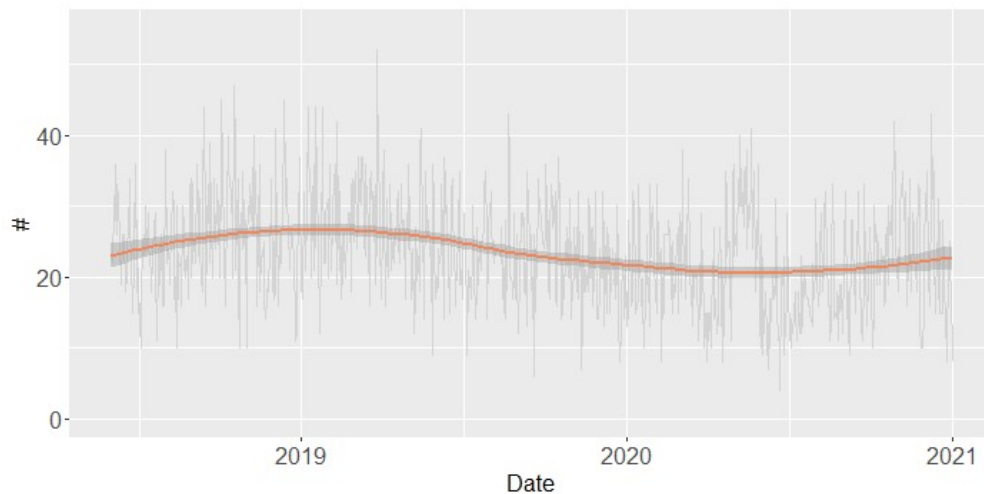


Figure 10: Daily counts (depicted in grey) and rolling averages (depicted in orange) of Drug Offenses in the City of Houston, 2018-2020. *Source:* City of Houston NIBRS Publication.

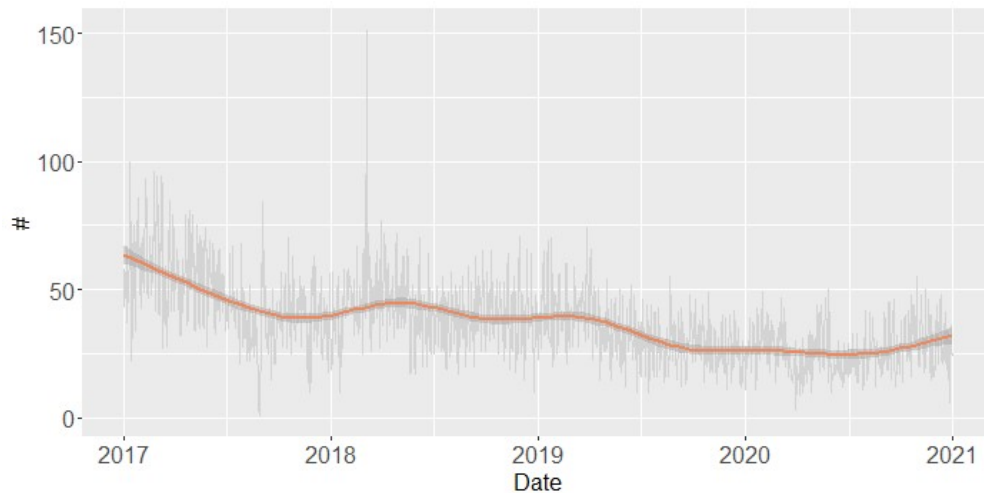


Figure 11: Daily counts (depicted in grey) and rolling averages (depicted in orange) of Drug Abuse Violations in Harris County, 2017-2020. *Source:* Harris County Criminal Case Details.

- Daily counts of Drug Violations have been declining in the City of Houston (**Figure 10**) and Harris County (**Figure 11**). These findings corroborate HPD's monthly crime statistics publication.⁵ The decline in the City of Houston has amounted to nearly 35-40 incidents per day less in Harris County, and about 5 incidents per day less in the City of Houston.

⁵ *Ibid.*

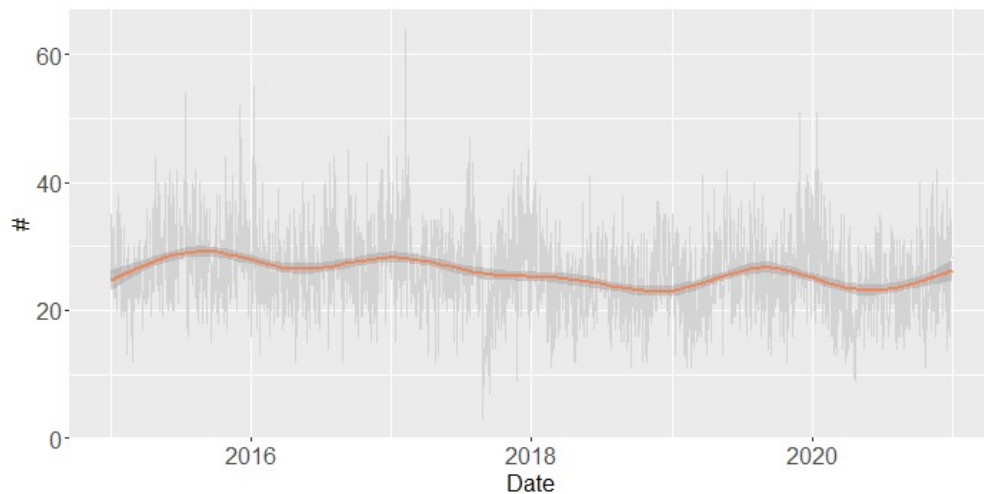


Figure 12: Daily counts (depicted in grey) and rolling averages (depicted in orange) of Robbery Offenses in the City of Houston, 2015-2020. *Source:* City of Houston NIBRS Publication

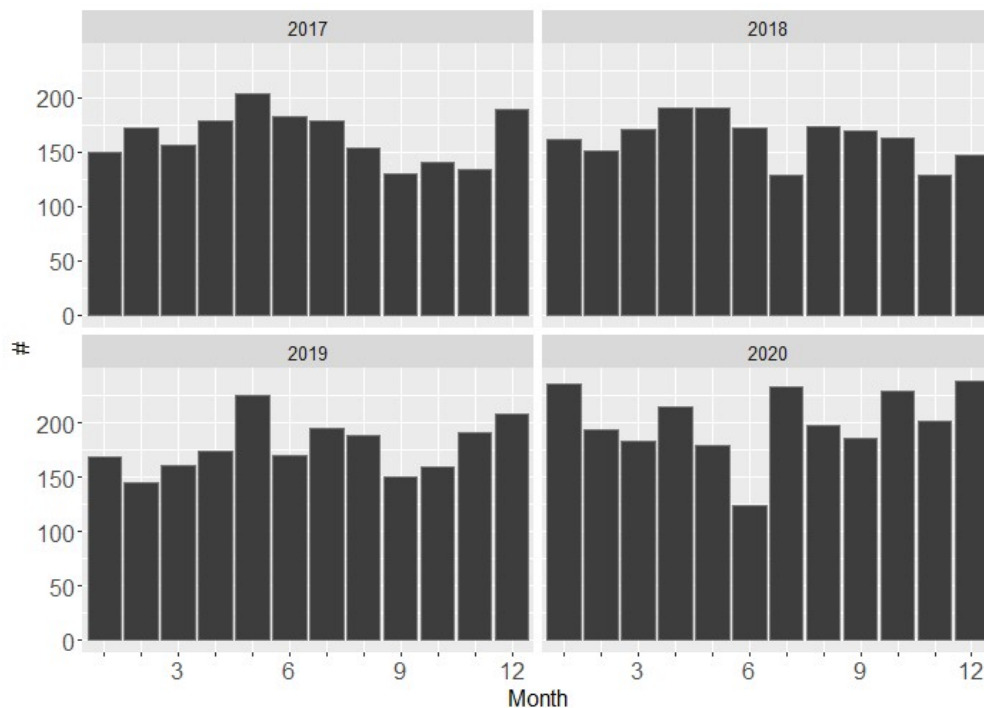


Figure 13: Monthly counts of Robbery Offenses in Harris County, 2017-2020. Panels indicate year of Plot. *Source:* Harris County Criminal Case Details.

- Daily counts of Robbery Offenses in the City of Houston (**Figure 12**) and in Harris County (**Figure 13**) have exhibited little variation or pattern from 2015 to present and 2020 to present, respectively. Both of these findings, broadly,

corroborate HPD's finding that robberies to date have been very slightly lower in 2020 than in 2019.⁶

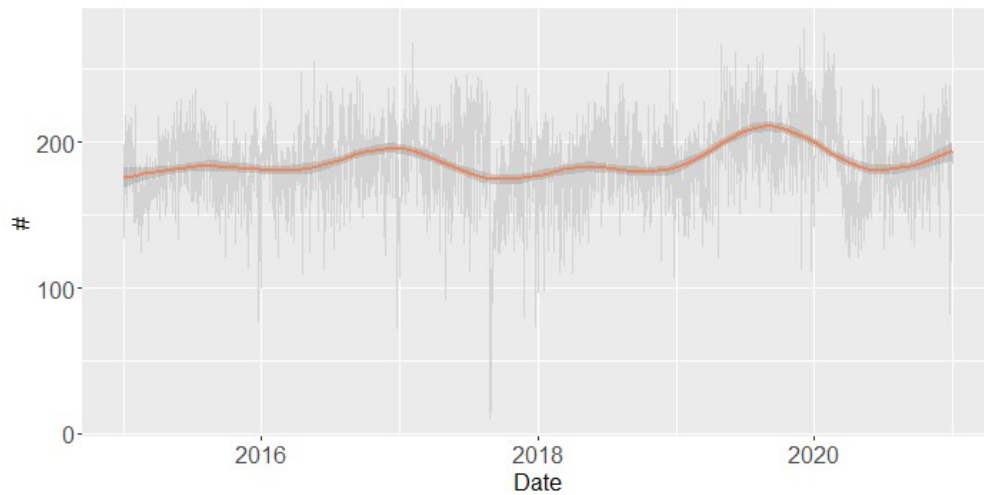


Figure 14: Daily counts (depicted in grey) and rolling averages (depicted in orange) of Larceny Offenses in the City of Houston, 2015-2020. *Source:* City of Houston NIBRS Publication.

⁶ *Ibid.*

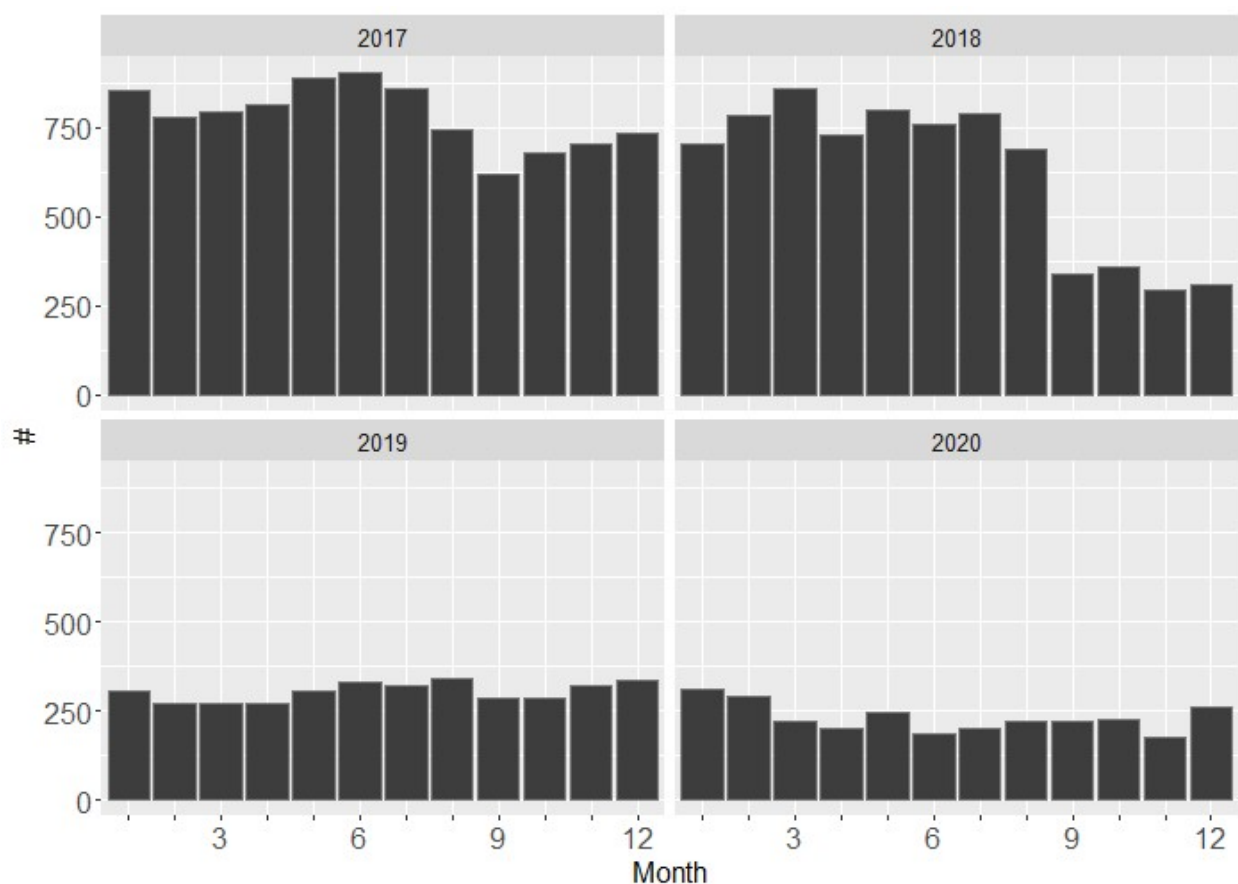


Figure 15: Monthly counts of Larceny Offenses in Harris County, 2017-2020. Panels indicate year of Plot. *Source:* Harris County Criminal Case Details.

- Daily counts of Larceny Offenses in the City of Houston have exhibited little change in the past 5 years, save for a small decrease beginning in the Fall of 2019 and ending around present day (**Figure 14**). In Harris County, there is even less variation, save for an enormous drop in late 2018 (**Figure 15**). A month-to-month change of that magnitude strongly suggests sharp change in (a) enforcement, or, more plausibly (b) record-keeping practices. Such a possibility is discussed below.

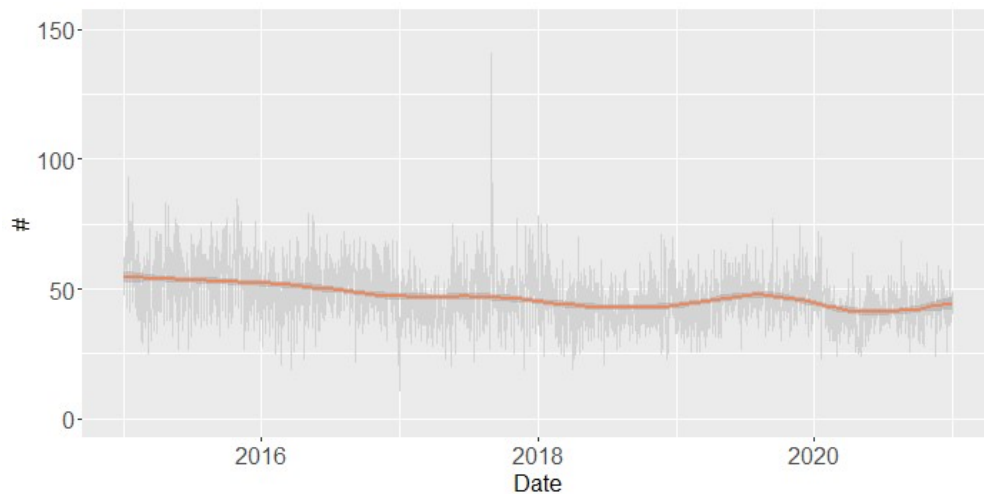


Figure 16: Daily counts (depicted in grey) and rolling averages (depicted in orange) of Burglary or Breaking and Entering Offenses in the City of Houston, 2015-2020. *Source:* City of Houston NIBRS Publication

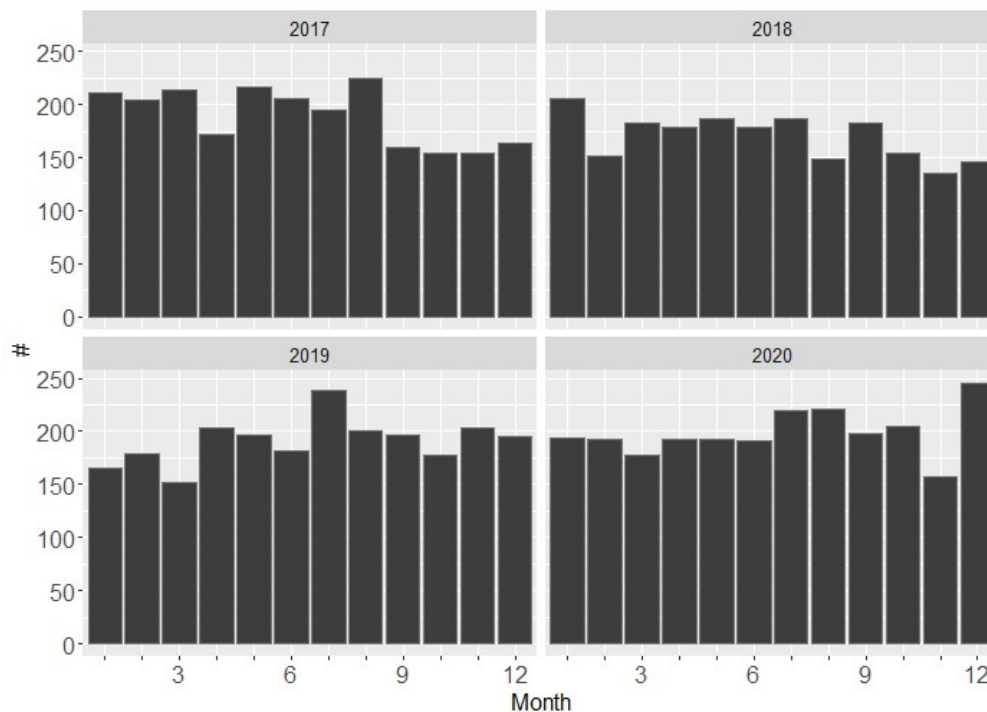


Figure 17: Monthly counts of Burglary cases in Harris County, 2017-2020. Panels indicate year of Plot. *Source:* Harris County Criminal Case Details.

- Daily counts of Burglary or Breaking and entering incidents in the City of Houston (**Figure 16**) have been slowly declining since 2015. This corroborates HPD's evidence that "robbery/breaking and entering" incidents have declined

from 2019 to 2020.⁷ There has been less obvious change in monthly counts of burglary cases in Harris County from 2017 to 2020 (**Figure 17**)

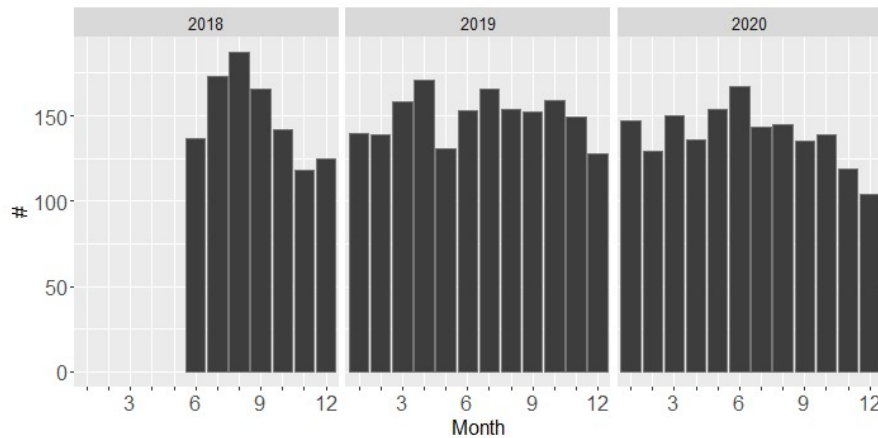


Figure 18: Monthly counts of Forcible Sex Assaults in the City of Houston, January 1-October 31. Facets indicate the year of the plot, 2018-2020. Plot begins in mid-2018 due to a change in how HPD recorded incidents of rape. Locally-weighted scatterplot smoothing lines with 95 percent confidence intervals. *Source:* City of Houston NIBRS Publication.

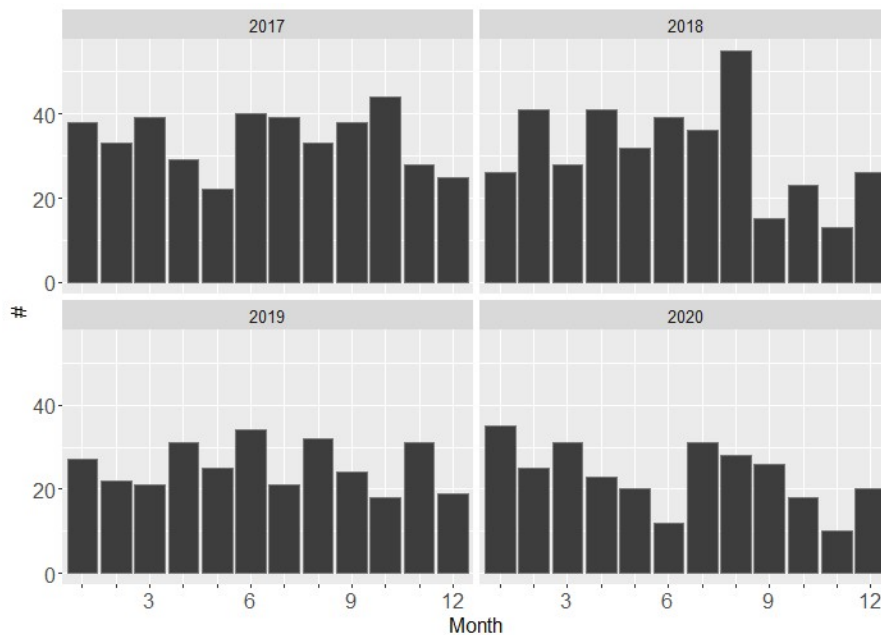


Figure 19: Monthly counts of Incidents of Forcible Rapes in Harris County, 2017-2020. Panels indicate year of Plot. *Source:* Harris County Criminal Case Details.

- The monthly counts of all forcible sexual assaults in the City of Houston are lower YTD in 2020 than YTD in 2019 (**Figure 18**). This corroborates HPDs

⁷ *Ibid.* The offenses are grouped together in HPD's monthly reports.

finding that all forcible sexual assaults fell between 2019 and 2020, including a 15 percent reduction in rape incidents. Furthermore, that trend extends back at least to mid-2018 and is part of a broad, significant decline of incidents of rape in Houston. In Harris County, the difference is less apparent—with the most obvious decreases coming in the summer months of 2020 (Figure 19). Nevertheless, there is apparent evidence of a clear, though a less dramatic, reduction in the monthly counts of incidents of forcible rape offenses in Harris County.

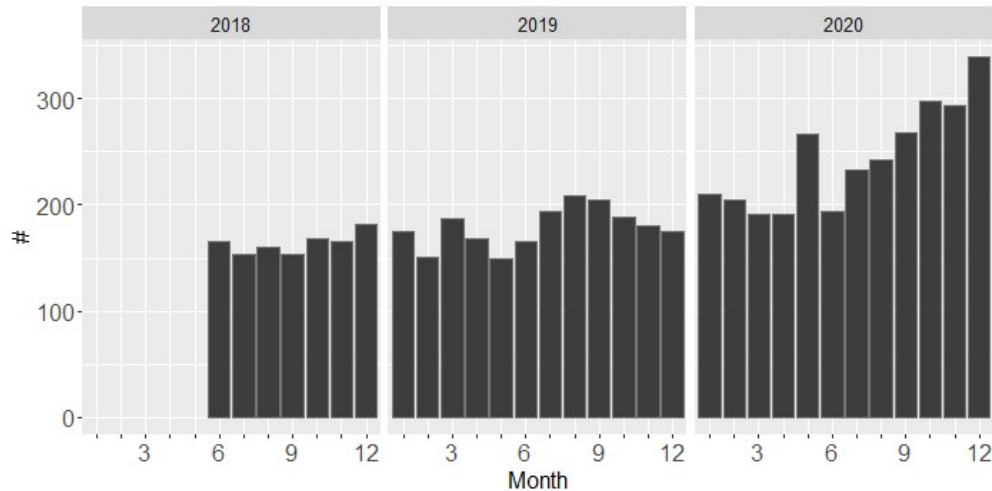


Figure 20: Monthly counts of Weapon Offenses in the City of Houston, 2015-2020. Panels indicate year of plot. *Source:* City of Houston NIBRS Publication.

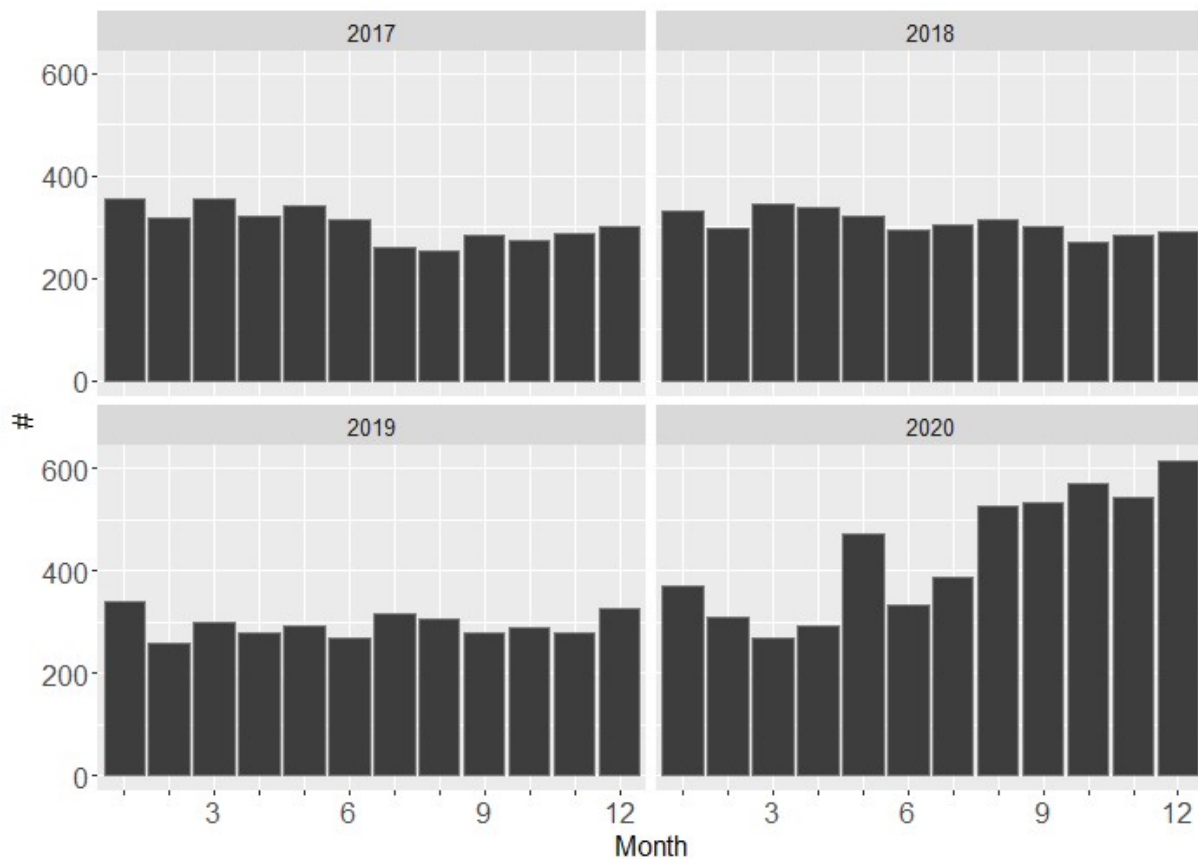


Figure 21: Monthly counts of Weapon Offenses in Harris County, 2017-2020. Panels indicate year of Plot. *Source:* Harris County Criminal Case Details.

- The daily counts of weapon offenses in the City of Houston have increased from 2019 relative to the same dates in 2020. These differences amount to less than five additional offenses per day. That increase is part of a broader increase in incidents of weapons offenses since mid-2018 (**Figure 20**).

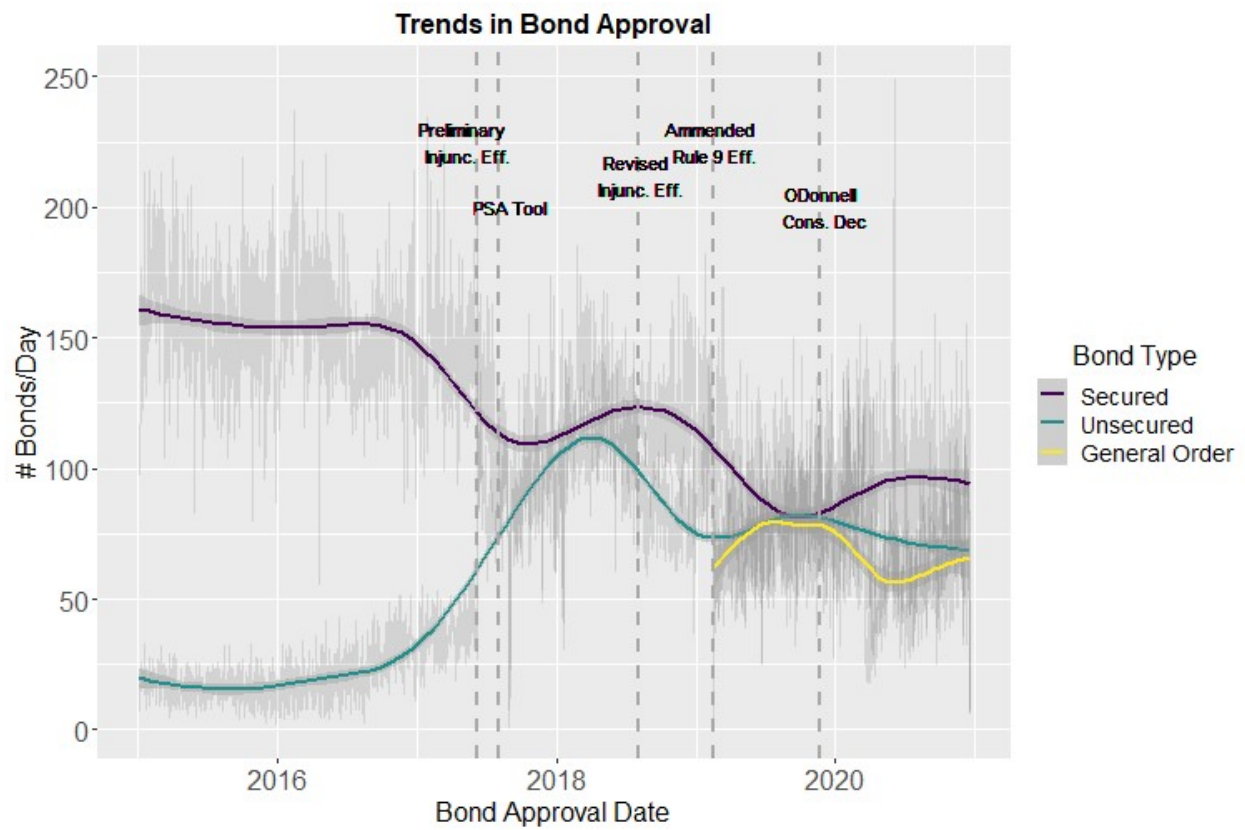


Figure 22: Trends in bond issuance in Harris County and major events in bail reform, 2015-Present.

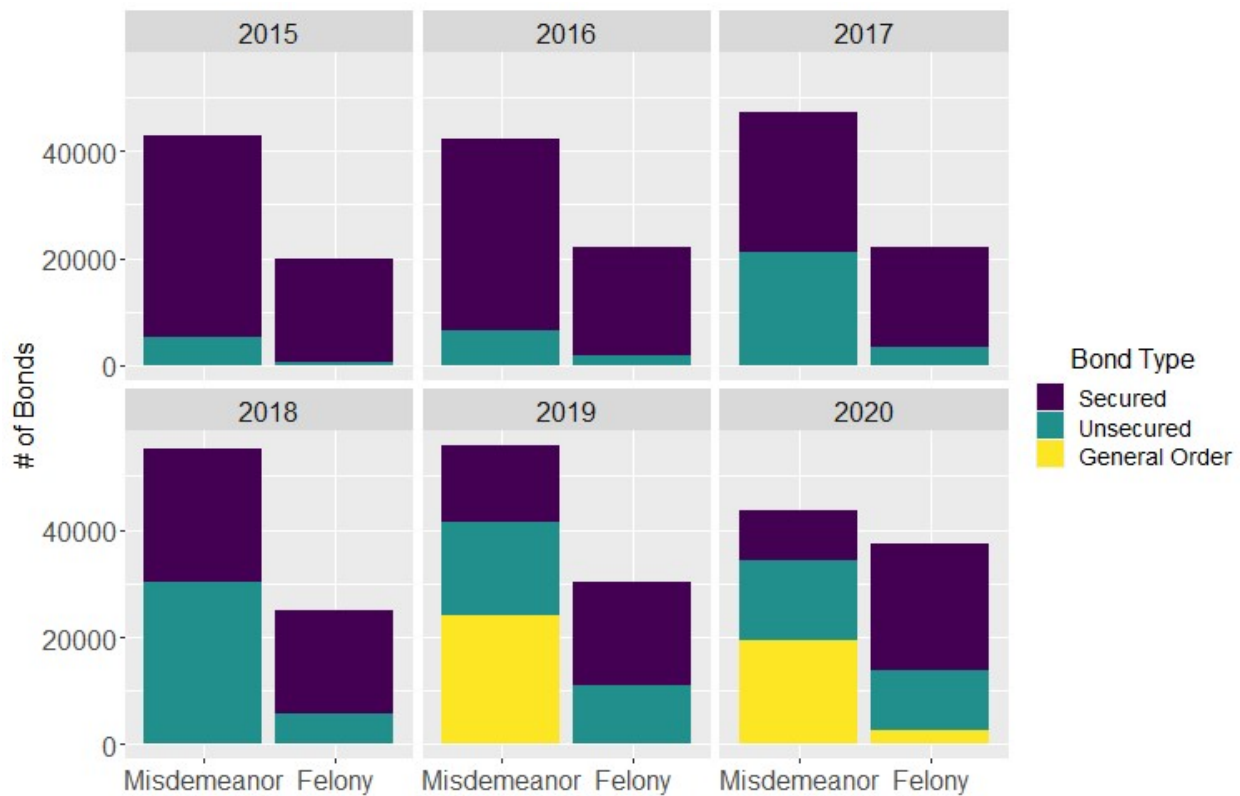


Figure 23: Annual counts of bond issuance by court division and type in Harris County, 2015-Present.

- Recent discussions in Harris County link increases in violent crime in the City of Houston and Harris County to bail reform. However, several important pieces of evidence make the link between bail reform and increasing crime rates implausible. First, it is difficult to explain how bail reform could increase some forms of violent crime (for example, aggravated assaults) but a *decrease* in other forms of violent crime (for example, forcible sexual assaults and rapes). Second, as shown in **Figure 22** and **Figure 23**, the major events of bail reform occurred in late 2017, and many of the primary policy changes were complete by the end of 2018. Therefore, it is difficult to link those policy changes to increases in violent crime by late 2020.
- Similarly, aggravated assaults have been increasing consistently since 2015 in the City of Houston, and since 2017 in Harris County. Since the trend of increasing aggravated assaults pre-dated bail reform, it is difficult to attribute the increase to bail reform. Finally, the discussion of bail resulting in an increase in violent crime most commonly connect bonds issued to defendants facing violent charges.⁸ Yet, as shown in **Figure 23**, there is very little evidence

⁸ Barned-Smith, St. J. (2020, November 20). *HPD Chief Art Acevedo calls Houston's skyrocketing murder rate a "perfect storm."*

of increased felony bonds between 2015 and the present. Bail reform has, above all, led to a greater issuance of personal bonds to misdemeanor defendants.

Cross-sectional Analysis: If Harris County alone implemented bail reform, and was alone experiencing an increase in violent crime, that could be taken as evidence of a link between bail reform and violent crime. **However, comparable jurisdictions across the country—which have either not implemented misdemeanor bail reform or did so at different times—have experienced remarkably similar crime trends to Harris County.** JAD includes three comparisons in this cross-sectional analysis, replicating the descriptive analyses in Dallas (Appendix B), Los Angeles (Appendix C), and Chicago (Appendix D). Despite the fact that many of these jurisdictions tabulate crimes slightly differently, and produce data at different stages in the process of prosecution, all three jurisdictions exhibit similar trends in crime to Harris County. Specifically, each jurisdiction exhibited a broad decline in murders before the COVID-19 outbreak coincided with a sharp increase in murders coinciding with the beginning of the pandemic.

Additionally, there has been a years-long increase in aggravated assaults or equivalent incidents/charges in each jurisdiction. There has also been a recent decrease in crimes against property in each of the jurisdictions. The fact that other comparable jurisdictions that have not implemented misdemeanor bail reform, experienced increases in crime similar to Harris County, presents strong evidence that there is no relationship between the implementation of the policy and increased crime.

Multivariate Analyses: Merely comparing trends in crime rates, socioeconomic factors, and bail policies makes it difficult to identify causal relationships, given that all three factors are moving in different directions at different times. Thus, the above findings are corroborated with a multivariate time series analysis. In Table A1 and Table A2, multivariate Poisson regression models are specified to examine the effect of changing unemployment rates, bail policies, and the effects of COVID-19 on monthly murder counts in the City of Houston. Table A1 presents evidence that (in the City of Houston from 2015 to the present), an increased unemployment rate was associated with increased monthly counts of murders ($p < .05$). Similarly, increased COVID-19 cases within Harris County positively predicted an increase in murder rates the next month ($p < .01$).⁹ Moreover, the increased use of secured bonds was associated with a slight increase in monthly counts of murders ($p < .01$). Because rising unemployment numbers were caused by demand shocks resulting from the COVID-19 pandemic, unemployment rates and monthly counts of COVID-19 cases are multicollinear. Thus, Table A2 re-specifies a Poisson regression model with unemployment statistics omitted. The stability of both the coefficients on change in

⁹ A p-value represents the statistical probability that the claim that there is a non-zero relationship between the two variables is due to random change. A p-value of less than 0.01 indicates that there is less than a 1% chance that .

proportion of secured bonds and COVID-19 presents convergent evidence of the effect of economic pressures and the use of secured bonds on monthly counts of murders.

Because these are simple time-series regression models, they are not able to identify causality. These models do not demonstrate final proof of a positive relationship between the unemployment rates and monthly murder counts, or of monthly trends in the issuance of secured bonds and murder counts. These analyses *do* present compelling evidence against a link between bail reform (especially reduced use of secured bonds) and violent crime in Houston. Moreover, these findings corroborate existing social science research, which suggests that misdemeanor bail reform reduces violence, and other research suggests that greater reliance on incarceration to incapacitate defendants or deter crime is associated with greater violence.¹⁰

***ODonnell* Consent Decree Background:** Due to the *ODonnell* consent decree, the number of misdemeanor arrestees released pre-trial on “general order bonds” in Harris County has dramatically increased, and the reliance on cash bail and detention of those who lack the resources to make bail has significantly decreased. However, substantial work remains to implement the structural changes envisioned by the consent decree, as we are in the first year of a seven-year implementation plan.

The terms of the consent decree are intended to implement and enforce fair and transparent policies and practices that will result in meaningful, lasting reform to the County’s pre-trial detention system. The specific reforms included in the agreement are designed to protect arrestees’ equal protection and due process rights, including:

- the fundamental interest in pre-trial liberty and the right against wealth-based detention;
- to promote court appearance and public safety;
- to require investments necessary for new systems to function efficiently in a large jurisdiction;
- to promote transparency, rigorous analysis, and accountability throughout the pre-trial process so that constitutional practices will endure; and
- institutionalize mechanisms, including training, rigorous data collection and production, and ongoing public communication that will protect against a reversion to the pre-litigation system of mass, non-individualized pre-trial detention of misdemeanor arrestees without lawful justification.

While it takes time to measure the full impact of such broad changes, preliminary data indicates that misdemeanor bail reform is increasing fairness while maintaining public safety. The below preliminary findings have been documented in a report

A p-value represents the statistical chance that the relationship is due to random change. A p-value of less than 0.01 indicates that there is less than a 1% chance that the relationship is due to random chance alone.

77. <https://doi.org/10.1038/s41562-019-0604-8>.

conducted by the federal court monitor about the first six months of implementing the consent decree.

Impact:

- While it's unclear how much the pre-trial population has decreased, the gap between the number of white and Black defendants who are detained pre-trial has narrowed.

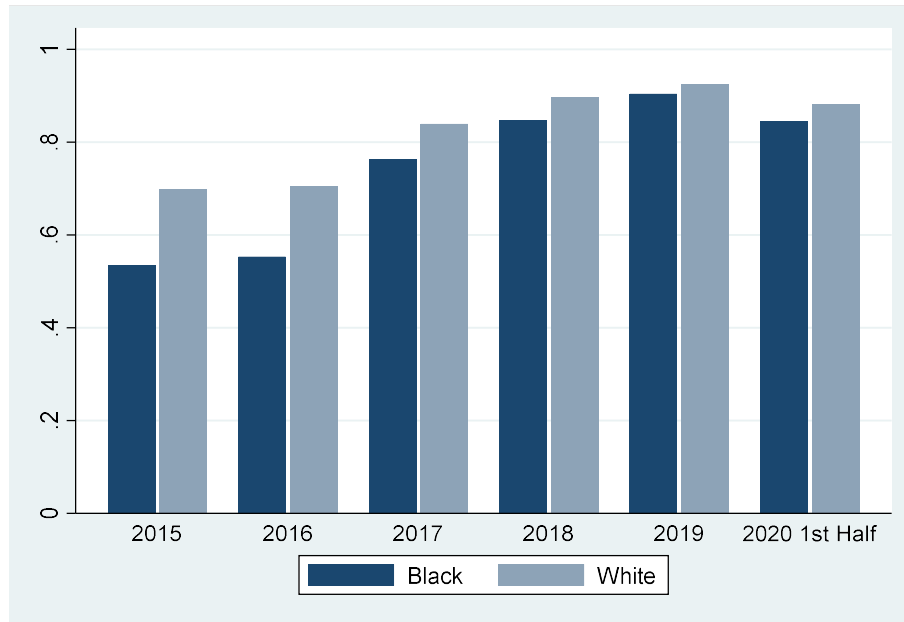


Figure 24: Proportion of Defendants released pre-trial, by year and racial group.
Source: ODonnell Consent Decree Monitors' Report.

Public Safety:

Rearrest rates did not increase after the reforms were implemented.

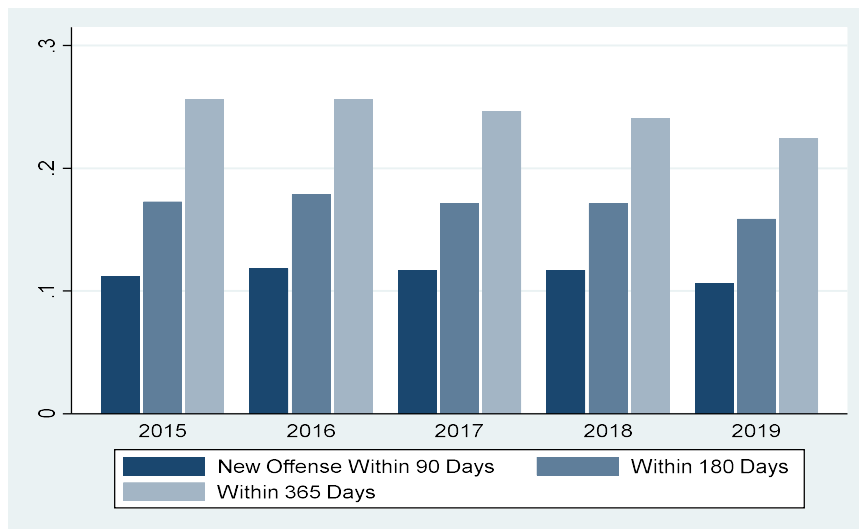


Figure 25: Proportion of Defendants with a new offense within specific time windows, by year. *Source:* ODonnell Consent Decree Monitors' Report.

Moreover, the relatively large number of pre-trial releases completed in 2018 and 2019 may have had additional, unexpected positive impacts on public safety. Throughout the United States, jails have served to incubate the virus. The same is also true of Harris County.

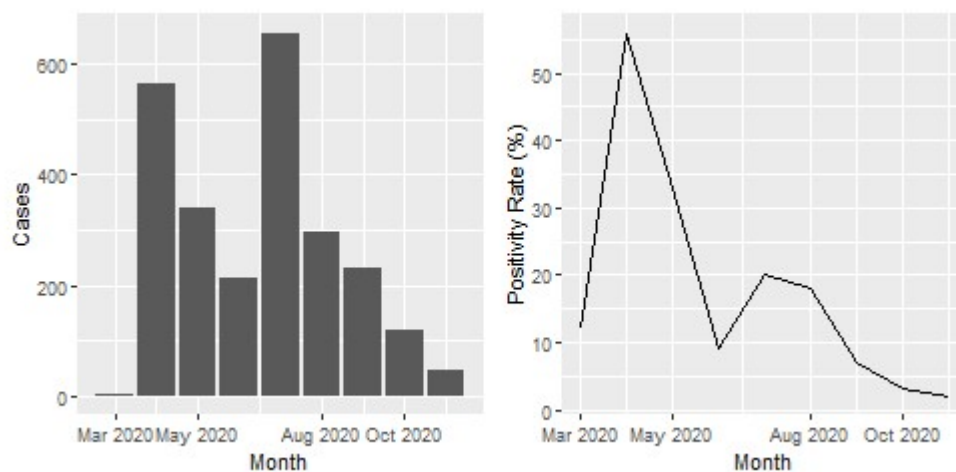


Figure 26: Monthly Counts of COVID Cases (left panel), and Monthly Positivity Rate (right panel) in Harris County Jails.

The prevalence of COVID-19 in Harris County jails indicates the danger that would have been posed to defendants had Harris County been adhering to the pre-trial policy of 2015 or 2016. By reducing pre-trial detention, misdemeanor bail reform likely helped minimize the further spread of a deadly pandemic within Harris County.

Jails. Also, it decreased the movement of individuals (and, thus, pathogens) in and out of Harris County Jails.

Nationwide Bail Reform Impact: According to the Prison Policy Initiative, releasing people pre-trial does not negatively impact public safety. About 75 percent of people held by jails are legally innocent and awaiting trial because they are too poor to make bail.¹¹ Current findings from bail reform efforts in other jurisdictions include:

- **New Mexico:** State-wide crime rates have declined since the reforms took effect in mid-2017. Furthermore, the safety rate, or the number of people released pre-trial who are not charged with committing a new crime, increased from 74 percent to 83.2 percent after the reforms took effect.
- **Kentucky:** The new criminal activity rate, which measures the rate at which people commit new crimes while awaiting trial, has not changed.
- **New Orleans, Louisiana:** A subsequent crime analysis found that defendants released without paying bail were no more likely to be rearrested than those who paid bail.

Lastly, the Institute for State and Local Governance (ISLG) at the City University of New York, Loyola University Chicago's Center for Criminal Justice Research, Policy, and Practice undertook an evaluation of the impact of GO18.8A (which instituted a General Order Bond in Cook County, IL) on four outcomes: bond court decisions, pre-trial release, pre-trial release outcomes (FTAs, new criminal activity, and new violent criminal activity), and crime rates led by Don Stemen and David Olson concluded that in **Cook County (Chicago, Illinois)** there was a 3 percent increase in failure to appear and no statistically significant increase in crime from before and after the implementation of the reform.¹²

Overall, GO18.8A saved defendants and their families a total of \$31.4 million in just the first six months after GO18.8A. Those savings included \$17.8 million from reduced bond amounts for bond deposits,¹³ and \$13.6 million from the increased use of individual recognizance bonds.

Next Steps:

- Harris County's implementation of bail reform largely began in 2017. Consequently, there is not enough conclusive data to measure the impact on public safety. However, **preliminary data reflects that re-arrest rates did not increase after the reforms were implemented.**

¹¹ Sawyer, W., & Wagner, P. (2020). *Mass Incarceration: The Whole Pie 2020*. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/pie2020.html>

¹² Stemen, D., & Olson, D. (2020). *Dollars and Sense in Cook County: Examining the Impact of General Order 18.8A on Felony Bond Court Decisions, Pretrial Release, and Crime*. <http://www.safetyandjusticechallenge.org/wp-content/uploads/2020/11/Report-Dollars-and-Sense-in-Cook-County.pdf>

¹³ Defendants pay 10 percent of the bail amount to secure release from jail.

- There are ongoing efforts to conduct further data analysis, including an added focus on Harris County's Criminal Courts at Law disposition outcomes, court appearances, recidivism, and minimization of the ethnic and racial disparities.
- All parties are receiving necessary resources for a meaningful, robust review hearing at the magistration.
- There is an ongoing study to conduct a cost analysis.

JAD'S APPROACH TO SUPPORTING SURVIVORS OF CRIME: One life lost to or impacted by violence is one life too many. **Any increase in that violence is unacceptable, and necessitates a strong policy response.** As such, JAD is committed to advancing solutions that promote safe, healthy, thriving communities in Harris County through restorative and evidence-based strategies that foster public trust, help prevent violence and trauma, and minimize criminal justice system exposure. To that end, JAD is engaged in the following efforts commissioned by Commissioners Court:

1) Victim Services Gap Assessment: JAD is conducting a victim services gap analysis to understand crime survivors' needs within Harris County. JAD has been meeting with various victim service providers (e.g., Harris County Domestic Violence Coordinating Council, Children's Assessment Center) in Harris County to understand the current gaps in crime survivors' services and serve them better. Through this effort, JAD will identify issues related to the need of survivors of crime, understand needs that are not currently being addressed, and develop solutions and policies to address these issues on the principles of evidence-based strategies.

2) Violence Interruption and Prevention Report: JAD is producing a report identifying best practices in developing and implementing violence prevention programs. This report draws on insights from quantitative and qualitative evaluations of violence prevention and interruption programs in other jurisdictions to provide guidance for Harris County. JAD is analyzing the feasibility and cost of creating a new county-level agency or program to administer violence interruption programs based on proven public health techniques to end cycles of violence in the community. The report will examine programs nationwide for their efficiency and effectiveness at preventing and interrupting the cycle of violence in local communities, independent from law enforcement. In particular, JAD is reviewing Cure Violence, which draws on public health principles and practices to attenuate the diffusion of social norms around violence and retaliation. JAD is also evaluating the effectiveness of a hospital-based violence interruption program, which provides individuals hospitalized with violent injuries peer support to interrupt cycles of violence and retaliation.

3) Violence Interruption and Prevention Pilot Programs: JAD is in the process of assessing the potential and process for Harris County to develop a county-level department or agency responsible for implementing the above evidence-based

programs to reduce violence. Evidence from programs across the country will ensure that Harris County draws on the most compelling insights from across the country to halt the cycle of violence. JAD is working diligently to understand the causes of violence and determine appropriate evidence-based programs and interventions to help reduce the rate of homicides and the overall crime rate.

4) U-Visa Certification Policies: JAD is finalizing an examination of U-Visa law enforcement certifications to determine appropriate evidence-based policies better to support immigrant survivors of crime. The U-Visa—which was established to protect non-immigrant victims of certain qualifying crimes (e.g., domestic violence, trafficking)—is intended to encourage crime reporting, particularly from victims who might be fearful of the police due to immigration status. However, one of the eligibility requirements to receive a U-Visa is the submission of Form I-918B or Supplement B (i.e., “law enforcement certification”). Completing and submitting this form is required to apply for a U-Visa, but does not guarantee United States Citizenship and Immigration Services (USCIS) will grant the applicant a U-Visa. This is partly because USCIS caps the number of acceptances to 10,000 per year.¹⁴ As a result, there is a backlog of U-Visa applications (in March 2019, there were 239,000 pending review),¹⁵ and approvals on average, take five or more years to process fully. More information on these topics will be included in a separate JAD Memo to Commissioners Court that will consist of approaches that can be implemented on the local, state, and federal levels to assist with the present inconsistencies surrounding U-Visa certifications and that will benefit immigrant survivors of crime.

5) Trauma Recovery Centers: Additionally, JAD is committed to assisting survivors of crime, particularly from underserved communities (e.g., people of color, survivors experiencing homelessness, LGBTQ survivors). JAD is reviewing programs and policies to support survivors of crime. Currently, JAD is examining the feasibility of creating Trauma Recovery Centers (TRCs) in Harris County to help survivors of crime address trauma and heal from violence. There are currently 35 evidence-based Trauma Recovery Centers nationwide that assist survivors of crime with trauma and aid in crime prevention. TRCs implement programs that holistically address trauma to respond to cycles of violence. These have been shown to be clinically- and cost-effective in addressing survivors' needs and healing communities affected by violence. As a result, JAD is working to examine the implementation of TRCs in Harris County.

CONCLUSION: The City of Houston and Harris County are experiencing mixed trends in crime. Some violent crimes are increasing, and some are decreasing. Some crimes against property are growing, and some are decreasing. These contradictory trends provide strong evidence that bail reform has not been associated with any

¹⁴ United States Citizenship and Immigration Services (2020). *U Visa report: U visa demographics*.

¹⁵ Reps. Panetta, Jayapal Introduce the Immigrant Witness and Victim Protection Act to Protect Immigrant Survivors of Crime. (2019, September 13). *Targeted News Service*.

straightforward increase in violent crime. Moreover, the fact that many offenses in the City of Houston and Harris County have only begun rapidly increasing since the summer suggests that increases in crime might be more accurately attributed to the COVID-19 pandemic's increase in economic and social pressures. Indeed, regression analysis presents consistent evidence that an increase in the unemployment rate predicts an increase in monthly counts of murders and that increased use of secured bonds is associated with an *increase* in predicted murder rates. Beyond contextualizing crime statistics and presenting evidence that contemporary policies are *not* exacerbating violent crime, this memo outlines the several reforms JAD is undertaking to reduce violence and support survivors.

HALTING VIOLENCE IN HARRIS COUNTY: As this memo shows, some Harris County residents are at an unacceptably high risk of being victimized by violent crime. Extensive social science research presents evidence that a relatively small stratum of the population is at great risk of both perpetrating and being victimized by violent crime. Thus, there is a strong theoretical justification for a highly-targeted intervention for reducing violent crime and victimization in Harris County. Two of these are: CureViolence (CV) and Hospital-Based Violence Intervention Programs (HVIPs).

These programs, though different in several important ways, intervene to guide individuals at high risk of perpetrating and experiencing violence away from “the cycle of violence.” These interventions are directed at these potential participants in communities when individuals may be considering retaliating against previous violence (CV), or in hospitals when individuals are recovering from a violent injury, and may be more amenable to shifting behaviors around violence and retaliation. The programs rely on individuals who can credibly relate to victim’s life circumstances and experience, and both programs connect participants to community resources and social services crucial to reducing the risk of perpetrating and experiencing violence. A growing body of social-scientific evidence has shown that both programs are effective to reduce violence and victimization.

- In CV programs, the individuals at highest risk of repeatedly perpetrating—and being subject to—violence are directly contacted and diverted. Individuals at greatest risk of perpetrating or experiencing violence are targeted for participation in the program. These participants—who actually receive the policy “intervention”—are presented with the social norm that CV seeks to enforce: “that violence is harmful to everyone, that it is unacceptable behavior, and that it can be stopped.” That message is disseminated by two types of program staff members: Violence Interruptors (VIs) and Outreach Workers (OWs).
 - VIs are most closely involved with the task of changing social norms around violence, and, as such, are key to the success of the program. “They are hired for their ability to establish relationships with the most

high-risk young people in the community, usually young men between the ages of 15 and 30. The VIs form relationships with high-risk youth and monitor ongoing disputes to learn about potential acts of retaliation before they happen. When someone is injured or shot, the victim's friends and peers may seek revenge. The VIs from CV seek out those connected to the victim and try to 'talk them down' or persuade them that there are other ways to negotiate the conflict without engaging in more violence that could risk their liberty and their own lives".

- Per a well-known evaluation of CV programs—"OWs are similar to case managers. Like the VIs, the OWs need to have trusting relationships with the most high-risk individuals in the community, and it helps if the OWs have also had prior involvement with the justice system. Both the VIs and the OWs need to be seen as credible by young people living high-risk lives." OWs, due to their physical location, training, and life experiences, are less well-placed to actually "interrupt" the transmission of violence. Instead, they help to allay the social pressures and deprivations that continue to place individuals at risk for experiencing or perpetrating violence. Thus, "...OWs use their relationships with program participants to help connect high-risk individuals to positive opportunities and resources in the community, including employment, housing, recreational activities, and education. OWs carry caseloads of up to 15 participants.
 - CV programs have a demonstrated history of reducing violence in economically deprived communities of color. The strengths, limitations, and constraints of those programs will be documented in greater detail by a forthcoming memo to be submitted to Commissioners Court by JAD. Here, JAD notes that CV has the potential to reduce homicides, shootings, and potentially social norms around violence and retaliation in high-risk communities in Harris County.
- HVIPs are a closely-related program designed to reduce individuals' probabilities of being subject to repeated violence. Similar to CV programs, HVIPs intervene just after an individual is hospitalized after suffering act of intentional violence, to interrupt cycles of violence and retaliation. Advocates of HVIPs suggest that by using "family or group therapy, substance abuse treatment, and/or training in emotional regulation skills"¹⁶ in the crucial moments just after a violent assault, that individuals might opt to further pursue such social resources, rather than opting to perpetuate cycles of violence. The theory undergirding HVIPs is relatively straightforward. HVIPs operate from the starting assumption that the moments just after an individual has suffered violent injury that, due to demographic, contextual, and economic factors, is likely to be repeated, are "teachable moments."

¹⁶ (Affinati et al., 2016, pp. 1–2)

- To implement that theory of change, “HVIPs combine brief in-hospital intervention with intensive community-based case management and provide targeted services to high-risk populations to reduce risk factors for reinjury and retaliation while cultivating protective factors.”¹⁷ Those practices work to direct potential participants’ responses to traumatizing violence, helping connect participants to social services, and route them away from behaviors that could prompt additional violence or victimization.
- The breadth of services offered in the immediate aftermath of an assault varies, as does the assault that precipitates program action: evaluators emphasize that there “is no standard HVIP.”¹⁸ Yet, strong preliminary evaluations suggest that HVIPs are effective at reducing violence, violent recidivism, and the cost of hospitalizations “in hospitals with significant rates of trauma and in areas where cost of injury and recidivism are high... among violently injured patients.”¹⁹

These programs, correctly, stipulate that there are sub-populations of individuals within a community that, due to demographic (age and gender), economic (poverty and deprivation), social (isolation from community institutions), etc. factors, are particularly likely to perpetrate and be victimized by violent crime. These programs, however, do not address the underlying disadvantages that *cause* violence, rather, they work to intervene to change the attitudes and behavior of individuals most likely to perpetrate or experience violence. Numerous other policy interventions could reduce the underlying pressures that produce violence. A few of these are discussed briefly here, both for the purpose of indicating what sort of programs might attenuate the causes of violence, and to point to the differences between such programs and violence interruption/prevention programs.

- Extensive evidence suggests that early childhood exposure to lead is associated with developmental problems which predict later involvement with the criminal justice system.²⁰ The geographic distribution of lead exposure risk in the Harris County area (see: **Figure F4**) is closely correlated with concentrations of crime (see: **Error! Reference source not found.Figure 3** and **Figure 4**) and broader disadvantage in Harris County (see: **Figure F1**). Policy interventions to address childhood lead exposure, and prevent future exposure (e.g. remediation of lead in dwellings, public assistance for families exposed to lead, and medical treatment for those exposed) have enormous

¹⁷ (Purtle et al., 2013, p. 231)

¹⁸ (Burris et al., 2000, p. 2)

¹⁹ (Nordeen, 2015, p. 785)

²⁰ (Nevin, 2007)

impacts, and are estimated to more than “pay for themselves” by reducing strain on existing public health and education institutions.²¹

- Similarly, inequalities in the political economy of health care in Texas place Harris County residents at greater risk of perpetrating and experiencing violent crime. An estimated 1.27 million Texans would be eligible for Medicaid if the state were to opt-in to Medicaid expansion.²² An increasing weight of evidence suggests that Medicaid expansion, in part by increasing use of mental health care, reduces criminal justice system involvement. Elisa Jácome, in a recent paper, presented evidence that when individuals in South Carolina lost Medicaid coverage, that their probability of arrest within two years increased by 15%.²³ Again, the geographic distribution of violent crime (see: **Error! Reference source not found.Figure 3** and **Figure 4**), broader disadvantage (see: **Figure F1**), and adult uninsured rate (see: **Figure F2**) are essentially identical. Medicaid expansion could quite reasonably be expected to reduce arrest rates (and increase access to mental health care) in those most at-risk jurisdictions, and buttress any policy intervention executed here.

²¹ (Billings & Schnepel, 2018)

²² (Blackman, 2021)

²³ (Jácome, 2020)

Appendix A: Regression Tables

Table A1: Impact of Social Pressures and Bail Policy on Monthly Counts of Murders				
Variable	Coefficient	Std. Err.	z	p< t
Unemployment Rate _(t-1)	0.0443351*	.017993	2.46	0.014
Unemployment Rate _(t-2)	-.0449856*	.0204223	-2.2	0.028
ΔProportion Secured Bonds	1.608225*	0.6797375	2.37	0.018
Harris County COVID Cases _(t-1)	0.0000154**	0.00000599	3.19	0.001
Constant	3.144368**	.0880886	35.7	0.000
* p<.05 ** p<.01				
<i>Source:</i> Poisson Regressions. NIBRS City of Houston Publications and BLS data for the Houston metro area. COVID Data based on New York Times GitHub.				

Table A2: Impact of Social Pressures and Bail Policy on Monthly Counts of Murders				
Variable	Coefficient	Std. Err.	z	p< t
ΔProportion Secured Bonds	1.138845	.6626441	1.72	0.086
Harris County COVID Cases _(t-1)	0.0000154**	0.00000251	6.75	0
Constant	3.129689**	0.0272009	115.06	0
* p<.05 ** p<.01				
<i>Source:</i> Poisson Regressions. NIBRS City of Houston Publications and BLS data for the Houston metro area. COVID Data based on New York Times GitHub.				

Appendix B: Trends in Crime in Comparable Jurisdictions: Dallas

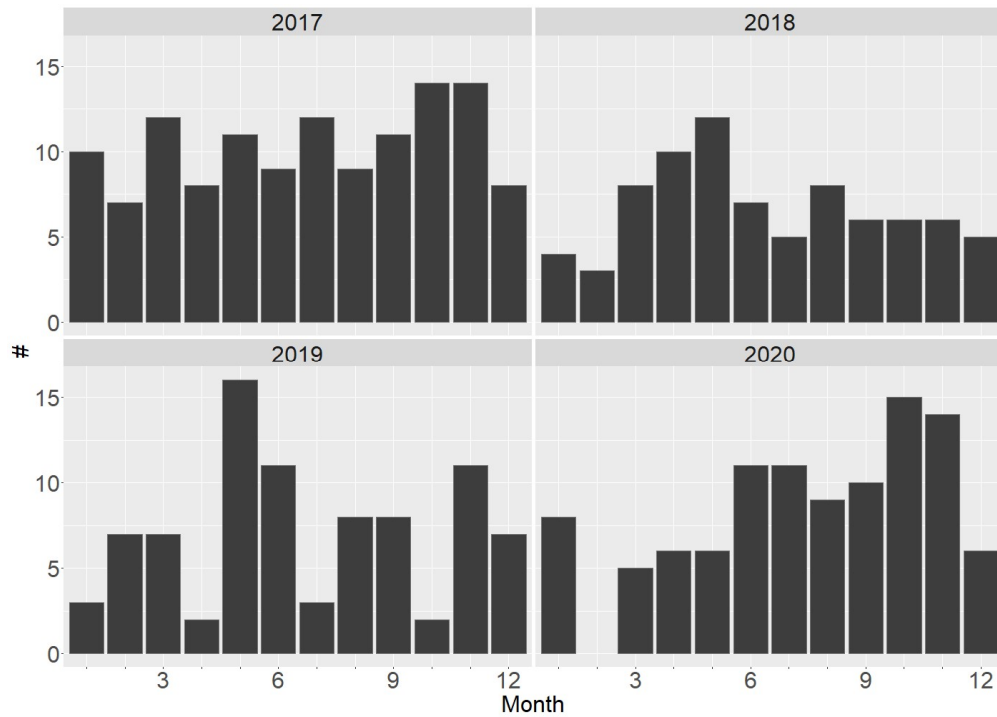


Figure B1: Monthly Counts of Murders in the City of Dallas. Source: Dallas Police Public Data – RMS Incidents 2017-2020.

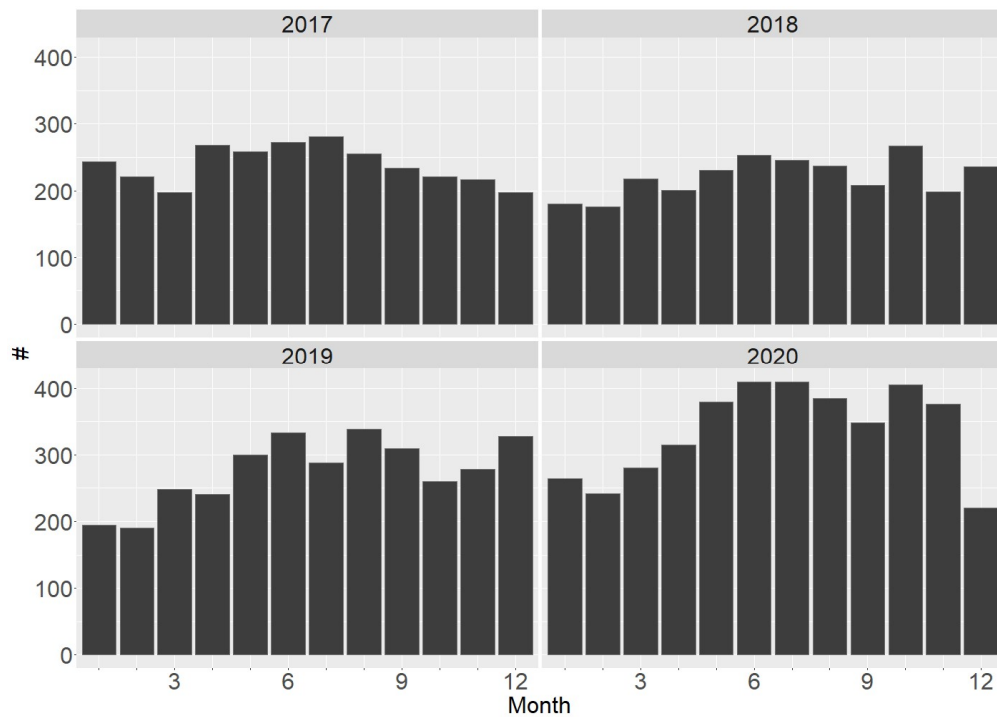


Figure B2: Monthly Counts of Aggravated in the City of Dallas. Source: Dallas Police Public Data – RMS Incidents 2017-2020.

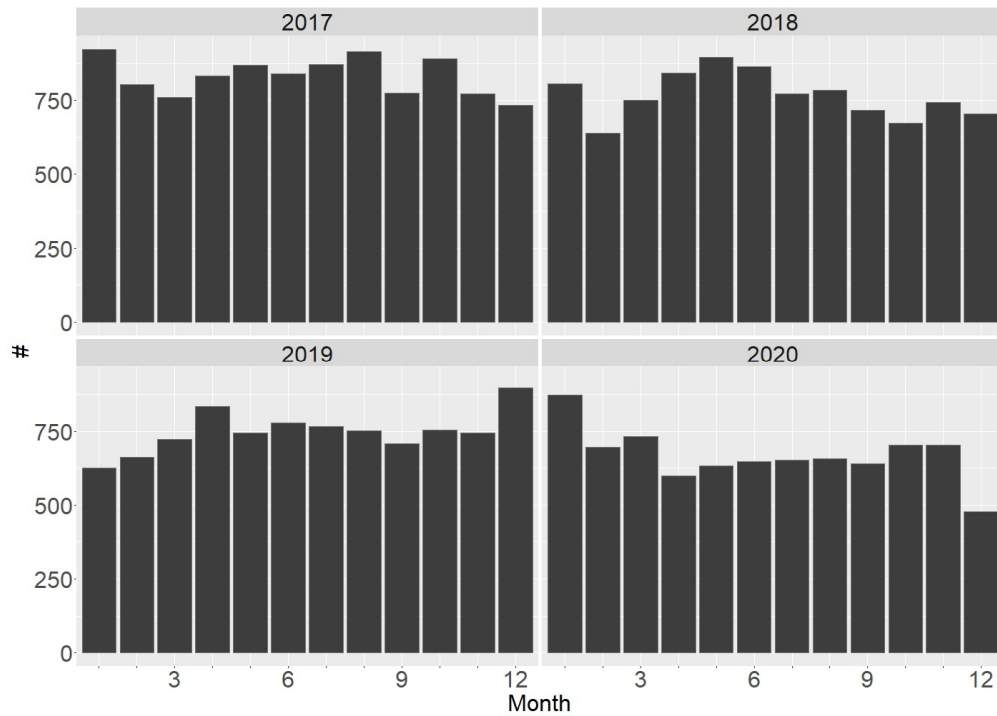


Figure B3: Monthly Counts of Burglaries in the City of Dallas. Source: Dallas Police Public Data – RMS Incidents 2017-2020.

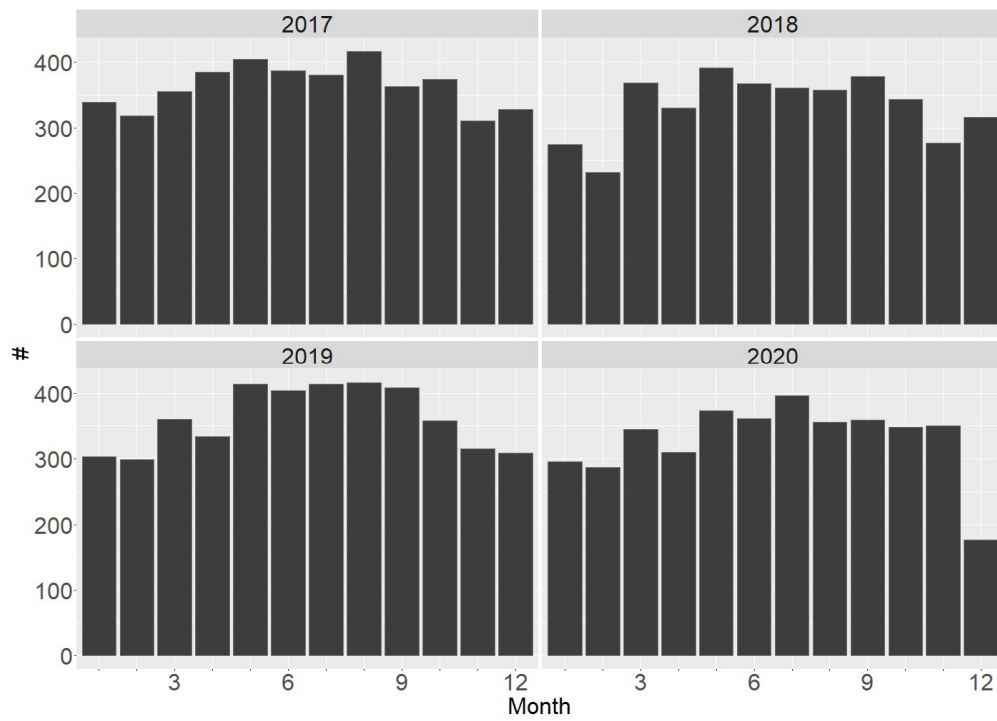


Figure B4: Monthly Counts of Murders in the City of Dallas. Source: Dallas Police Public Data – RMS Incidents 2017-2020.

Appendix C: Trends in Crime in Comparable Jurisdictions: Los Angeles

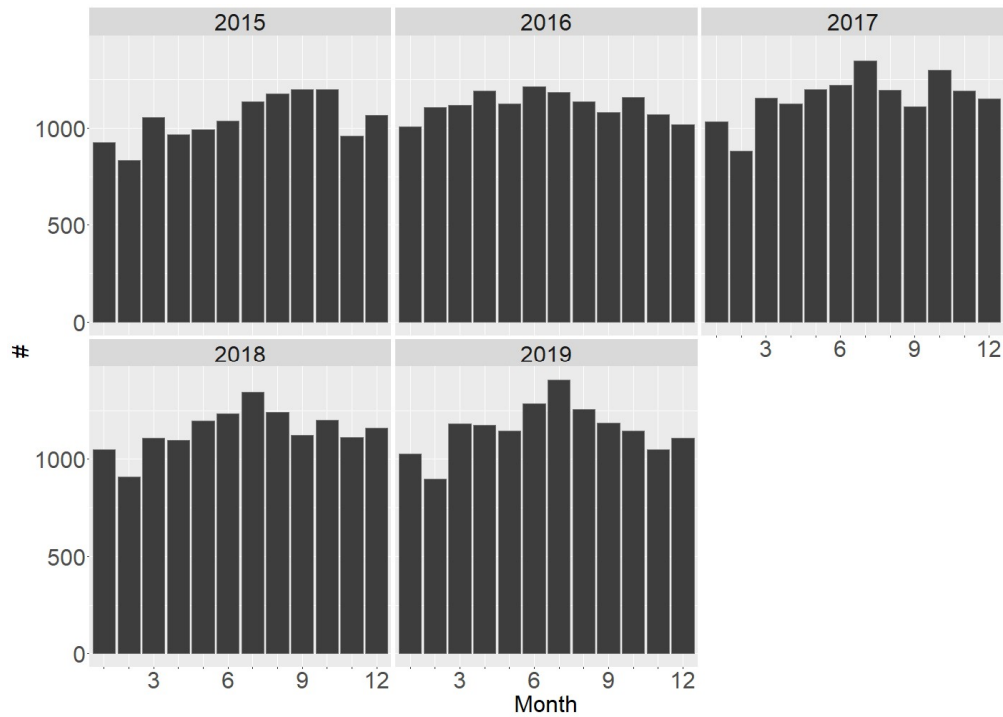


Figure C1: Monthly Counts of Aggravated Assaults in the City of Los Angeles (Murders are obscured). Source: Los Angeles Incidents of Crime Data, 2015-2019.

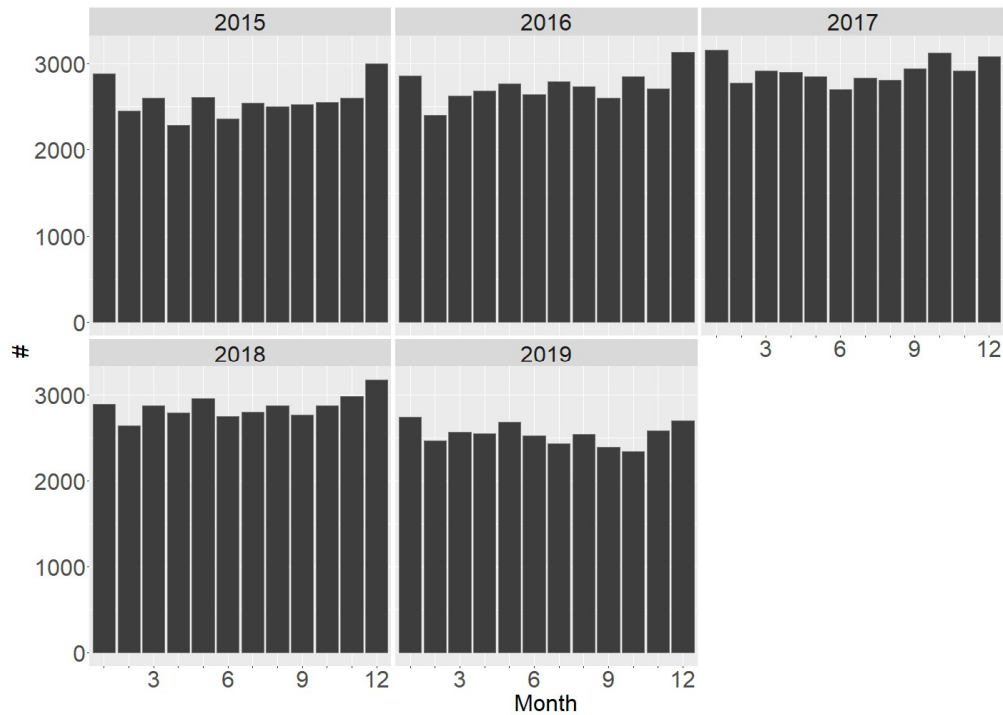


Figure C2: Monthly Counts of Burglaries in the City of Los Angeles. Source: Los Angeles Incidents of Crime Data, 2015-2019.

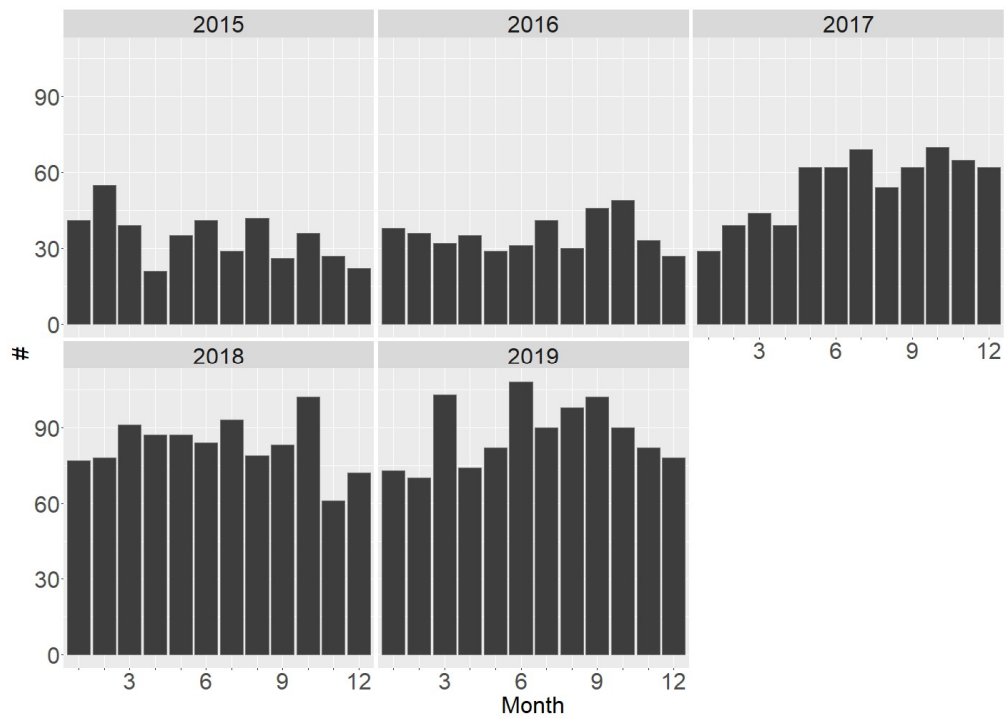


Figure C3: Monthly Counts of Assaults in the City of Los Angeles. Source: Los Angeles Incidents of Crime Data, 2015-2019.

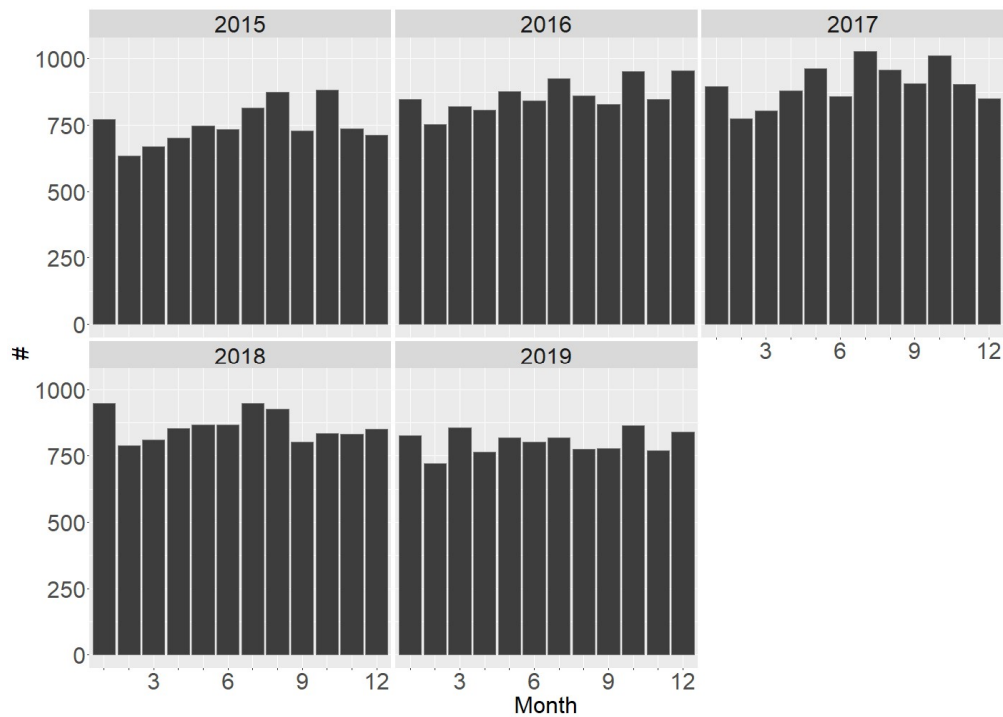


Figure C4: Monthly Counts of Robberies and attempts in the City of Los Angeles.
Source: Los Angeles Incidents of Crime Data, 2015-2019.

Appendix D: Trends in Crime in Comparable Jurisdictions: Chicago

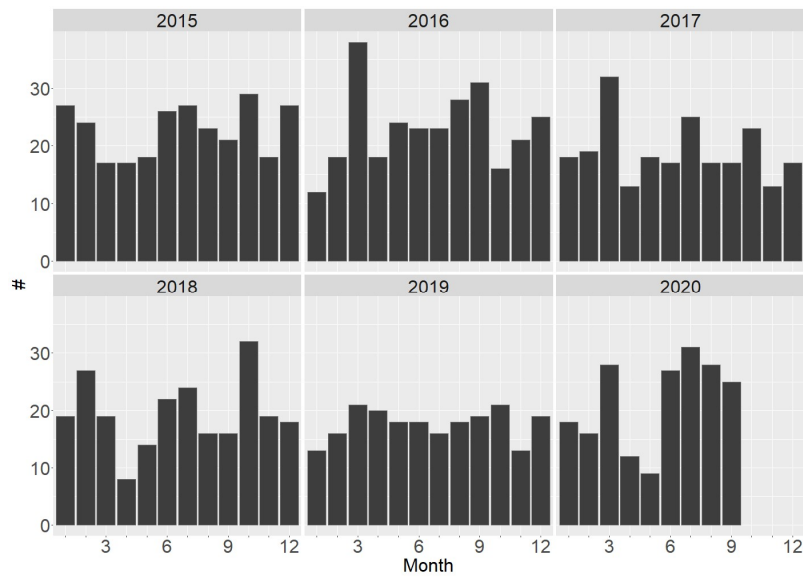


Figure D1: Monthly Counts of Murders in the City of Chicago. Source: City of Chicago Crime Initiation Data, 2015-Present.

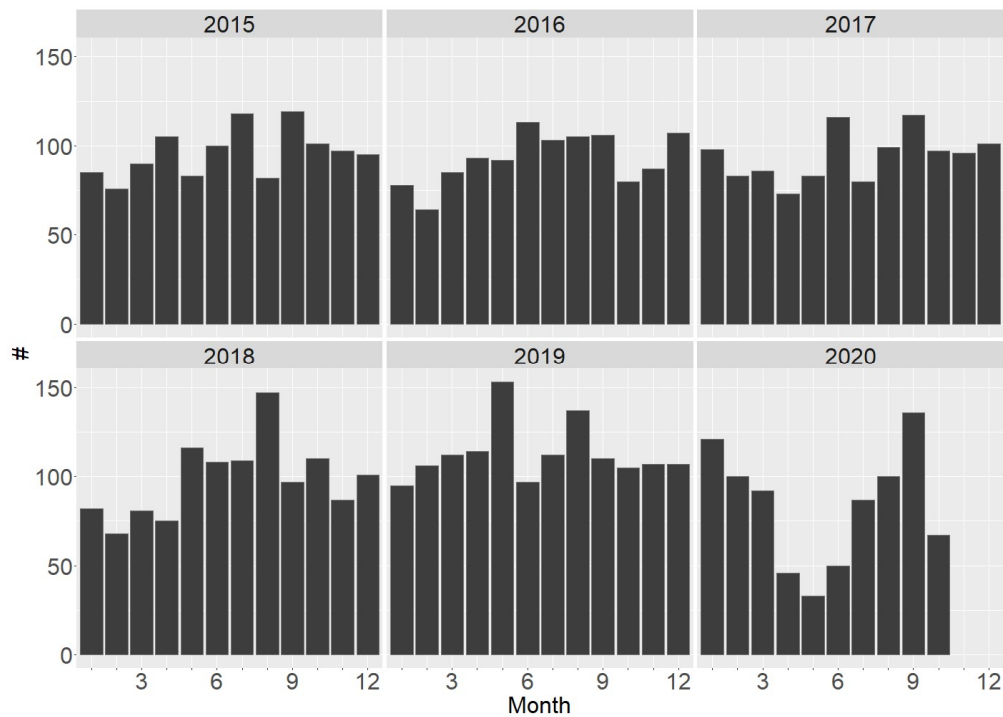


Figure D2: Monthly Counts of Aggravated Battery in the City of Chicago. Source: City of Chicago Crime Initiation Data, 2015-Present.

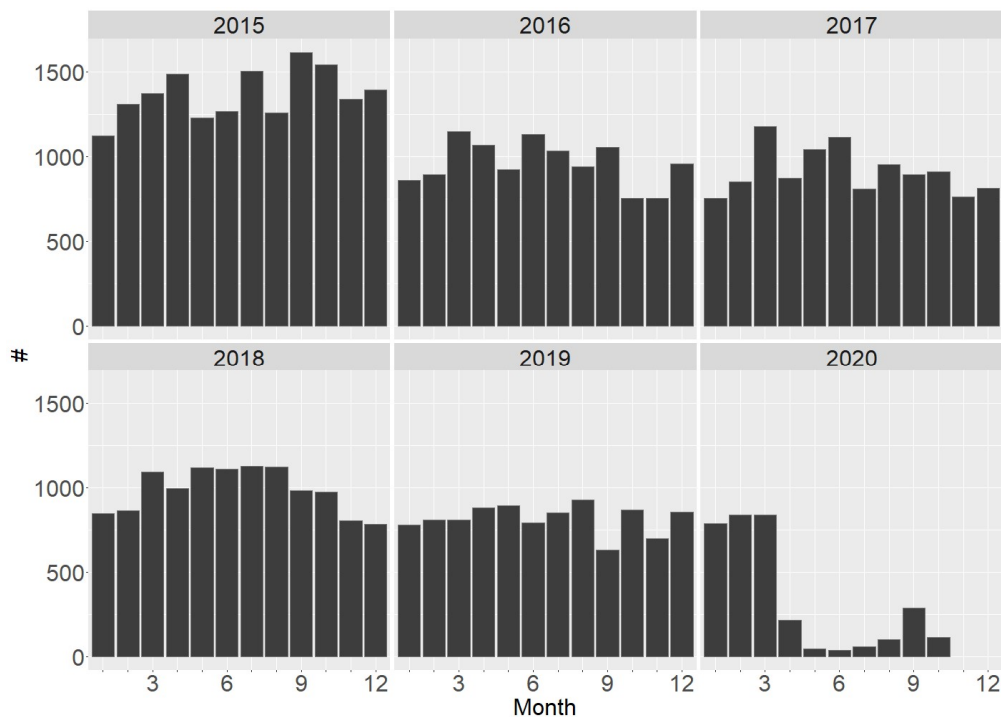


Figure D3: Monthly Counts of Narcotics Violations in the City of Chicago. Source: City of Chicago Crime Initiation Data, 2015-Present.

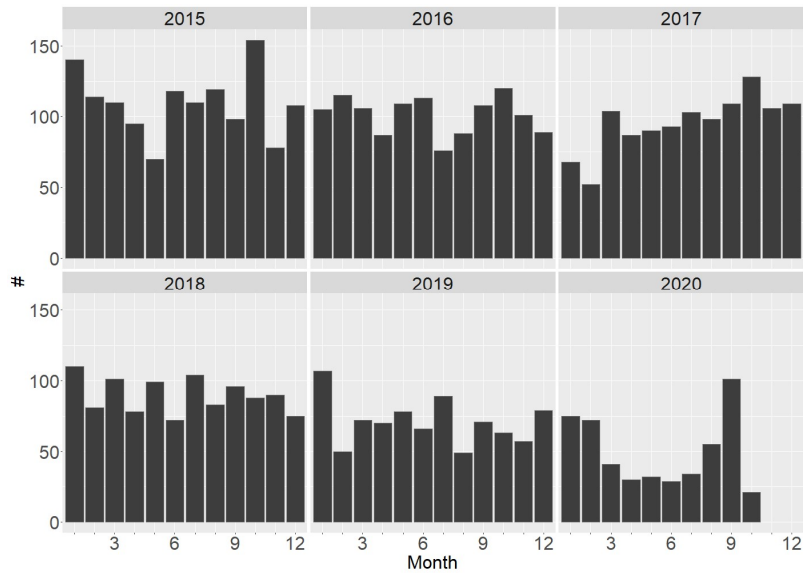


Figure D4: Monthly Counts of Robberies in the City of Chicago. Source: City of Chicago Crime Initiation Data, 2015-Present.

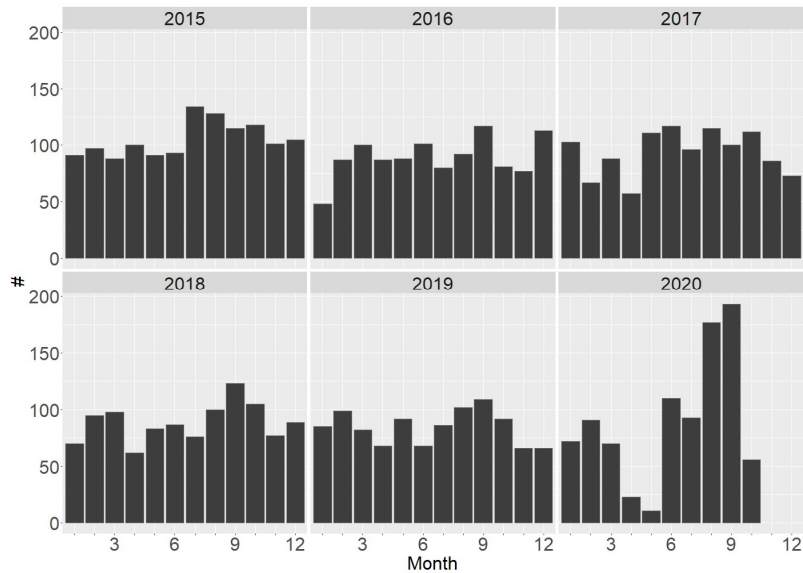


Figure D5: Monthly Counts of Burglaries in the City of Chicago. Source: City of Chicago Crime Initiation Data, 2015-Present.

Appendix E: Assumptions of Bonds Data

- The above analysis is based on several assumptions about the underlying structure of JAD's data on bonds. In brief, these assumptions and limitations are:
 - The unit of analysis in this memo is the bond, rather than the individual (who can have multiple bonds attached to one case) or the case (which can have multiple bonds stemming from the same incident). So, one bond's securing appearance, or failing to do so, maybe related to another bond's success or failure. The observations are, thus, not independent.
 - These analyses assume that all bonds included for analysis are pre-disposition bonds. To JAD's knowledge, all other bonds have been filtered out of this analysis.

Appendix F: Demographics and Disadvantage in Harris County

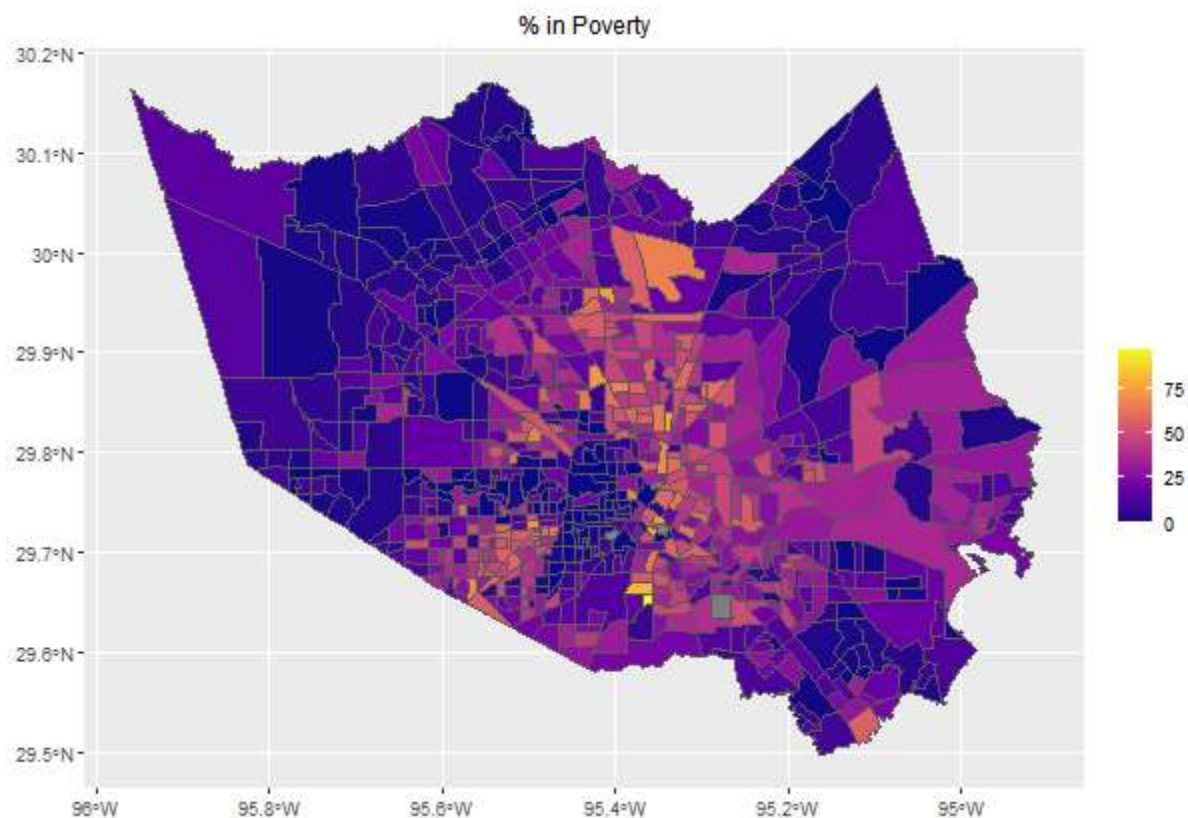


Figure F1: Percent of individuals in each census tract living in poverty. Source: American Community Survey

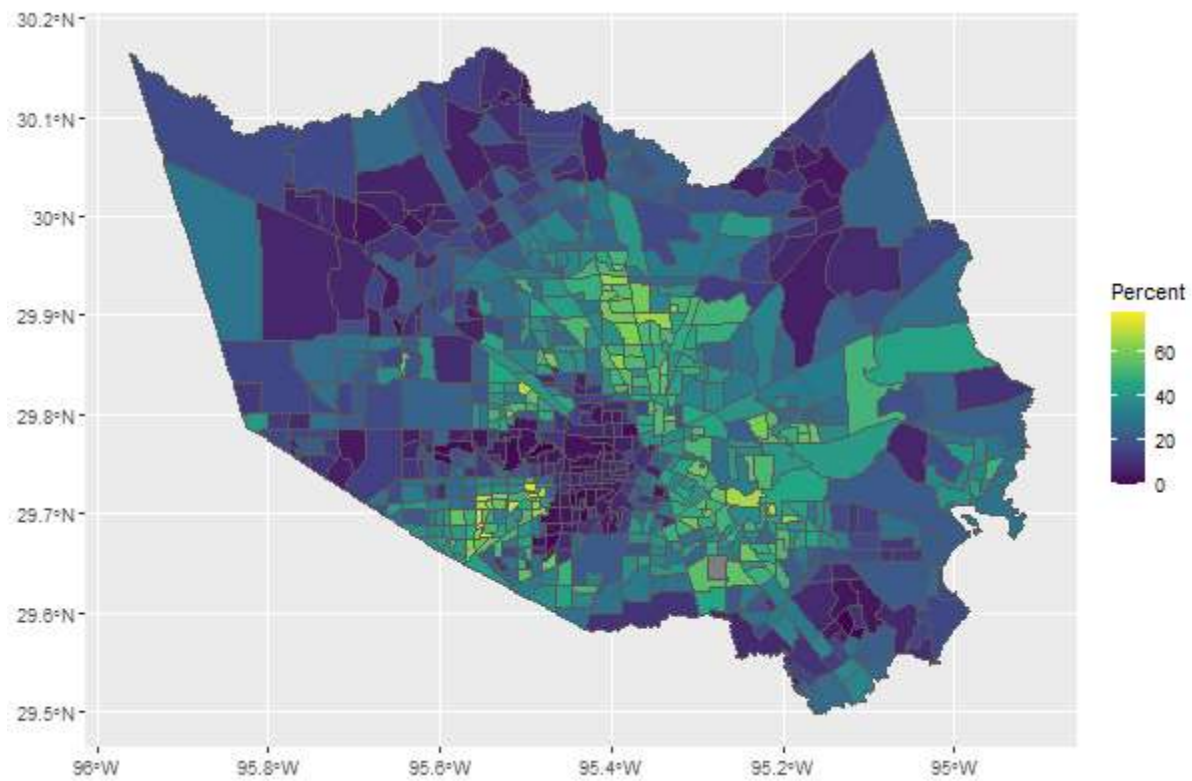


Figure F2: Percent of individuals in each census tract ages 19-64 who are uninsured.
Source: American Community Survey

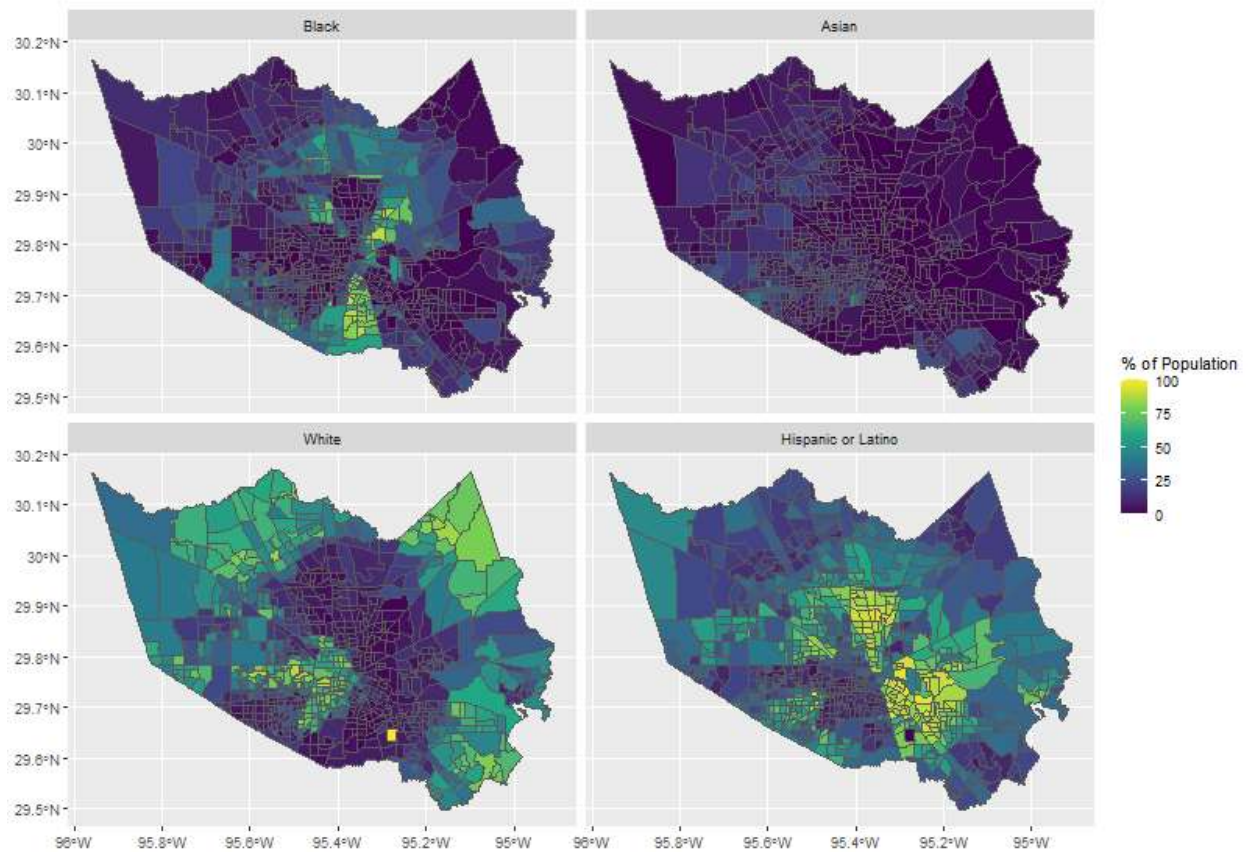


Figure F3: Percent of individuals in each census tract of racial/ethnic group indicated by panel. Source: American Community Survey

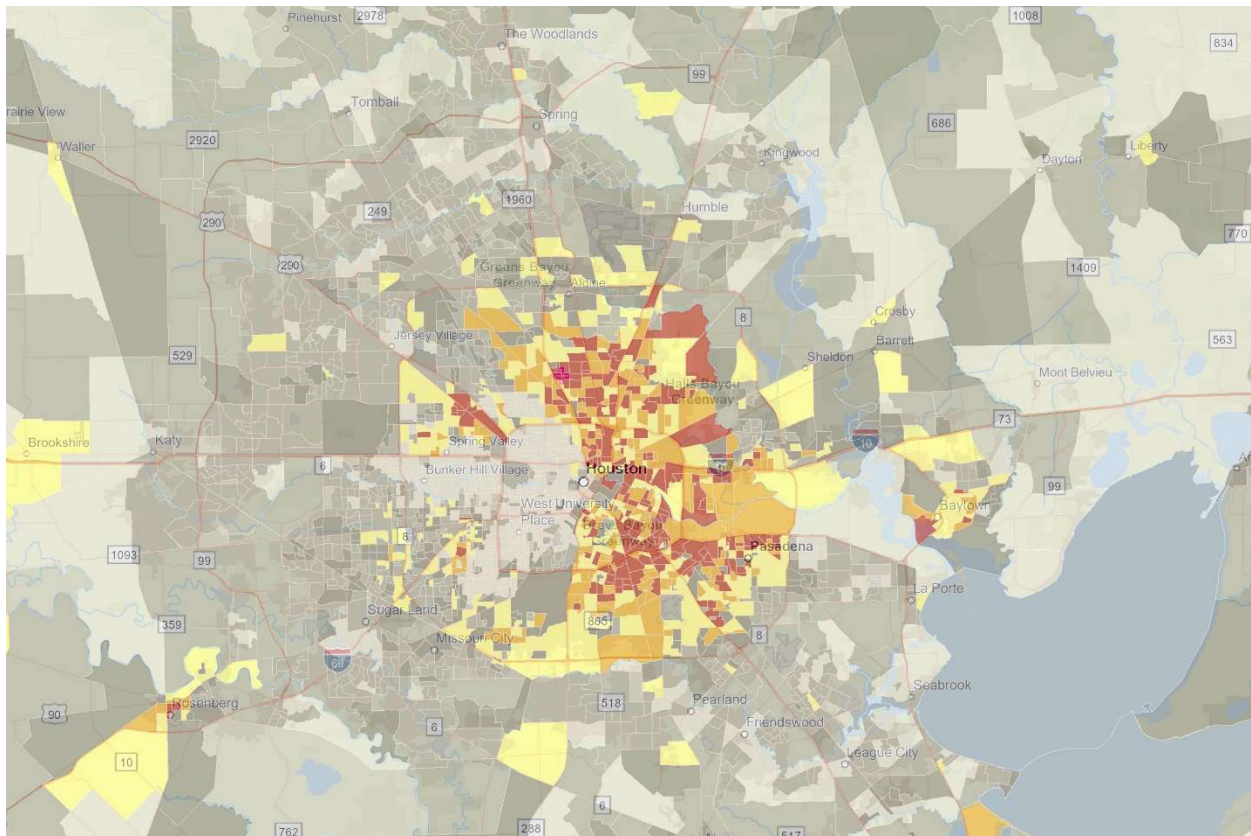


Figure F4: Distribution of lead exposure risk index scores (based on the relationship between lead paint exposure and dwelling construction dates) in Harris County area. Source: EPA's Environmental Justice Screening and Mapping Tool (Version 2020).²⁴

²⁴ (United States Environmental Protection Agency, 2021)